

# Action Plan for Strengthening Officer Recruitment, Hiring, Promotion, and Retention

Interagency Working Group Policies, Best Practices  
for Federal Law Enforcement Agencies



Prepared in accordance with requirements of  
**Executive Order No. 14074 (2022): Advancing Effective,  
Accountable Policing and Criminal Justice Practices to Enhance  
Public Trust and Public Safety**, § 3, Strengthening Officer Recruitment,  
Hiring, Promotion, and Retention Practices.

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## Executive Summary

On May 25, 2022, President Biden marked the two-year anniversary of George Floyd's murder by signing Executive Order (EO) 14074, titled "Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety." The EO outlines specific directives for agencies to improve policy and training, promote accountability, increase transparency, and ensure equal treatment and respect for the dignity of all individuals within the jurisdiction of Federal law enforcement. Furthermore, the EO encourages actions to drive reforms among state, local, Tribal, and territorial law enforcement and criminal justice systems.

As required by Section Three of the EO, the Director of the Office of Personnel Management (OPM) convened and chaired an interagency working group (IWG). The group comprised representatives from 15 Federal Law Enforcement Agencies (FLEAs) and was tasked to examine core policies in hiring, promotion, and retention, as well as best practices for FLEAs. The overarching goal of this effort was to promote an inclusive, diverse, and expert law enforcement workforce.

Within the Federal government, these 15 FLEAs collectively employ approximately 145,000 Federal Law Enforcement Officers (Federal LEOs). The IWG was also informed by engagement with a diverse group of stakeholders, including advocates for criminal justice reform, civil rights groups, law enforcement leaders, labor organizations and unions, and policing organizations.

The IWG members shared their core policies and best practices, while also identifying agency-specific recruiting, hiring, promotion, and retention challenges. OPM then assessed existing and recommended policies, identified best practices, and outlined steps to strengthen Federal law enforcement recruiting, hiring, promotion, and retention practices, with particular attention to promoting an inclusive, diverse, and expert law enforcement workforce, culminating in this action plan.

This action plan is intended to provide a resource for FLEAs to identify and use best practices for the following areas:

- **Recruiting and hiring**, including by considering the merits and feasibility of recruiting law enforcement officers who are representative of the communities they are sworn to serve (including recruits who live in or are from these communities). Additionally, incorporate recommendations from the FLEAs' strategic plans required under Executive Order 14035 of June 25, 2021 (Diversity,

Equity, Inclusion, and Accessibility in the Federal Workforce). FLEAs should take the following steps:

- Employ recruiting strategies that focus on targeted messaging and branding;
  - Engage with sources of talent that are most closely connected with the Law Enforcement Community with special attention to “Where Job Seekers Live” and their “Circles of Influence”;
  - Engage in partnerships and collaboration with fellow agencies that hire similar types of positions to attract Federal talent with the same skill sets and take advantage of economies of scale;
  - Leverage the use of Special Hiring Authorities; and
  - Leverage resources across agencies to use pooled hiring and share certificates that use improved candidate assessments.
- **Promotion and retention**, including but not limited to ways to expand mentorship and leadership development opportunities for Federal LEOs. FLEAs should take the following steps:
    - Take a holistic approach to utilizing pay and leave flexibilities and consider the following:
      - ◇ Leveraging student loan repayments;
      - ◇ Working with OPM to establish special salary rates for Federal LEOs;
      - ◇ Providing creditable service for annual leave accrual for non-Federal work experience and experience in the uniformed service;
      - ◇ Delegating recruiting and retention incentive pay authorities to managers to allow managers to act decisively to retain top talent;
      - ◇ Prioritizing the retention of senior leaders;
      - ◇ Establishing group retention incentives; and
      - ◇ Providing lump sum retention incentive payments after an employee has fulfilled a service agreement.
    - Ensure inclusion of the Chief Diversity Officer, Chief Data Officer, Chief Human Capital Officer, and Chief Financial Officer when developing and implementing pay flexibilities; and
    - Use and refer to information on [government-wide pay and leave flexibilities](#), which can be found on OPM’s website.

- **Performance evaluations and promotion decisions for Federal LEOs**, ensuring they include an assessment of the officer's adherence to agency policies and that performance evaluations and promotion decisions for supervisors include an assessment of the supervisor's effectiveness in addressing misconduct by officers they supervise. FLEAs should take the following steps:
  - Establish or enhance existing Federal LEO professional support and development programs.
  - Ensure that law enforcement officers are informed of, and have access to, wellness and employee support services, and strengthen institutional cultures that support well-being and psychological health.
  - Build leadership capability at all levels to support effective succession planning.
  - Use the categories of leadership development interventions when designing training and development opportunities for organizational leaders.
  - Provide supplemental development programs and services such as coaching and sabbatical opportunities.
  - Integrate the use of 360-degree evaluations when appropriate.
  - Develop and utilize individual development plans (IDPs) and executive development plans (EDPs) to assist in career and personal development.
  - Develop pre-supervisory training programs to meet the needs of the organization and the aspirations of individual employees.
  - Provide all employees annual, evidence-informed anti-bias training for law enforcement officers on implicit bias and avoiding improper profiling based on the actual or perceived race, ethnicity, national origin, limited English proficiency, religion, sex (including sexual orientation and gender identity), or disability of individuals.
  - Identify and use best practices for conducting background investigations and implementing properly validated selection procedures.
  - Identify and use best practices for vetting and ongoing employment screening that, consistent with the First Amendment and all applicable laws, help avoid the hiring and retention of law enforcement officers who promote unlawful violence or bias against persons based on race, ethnicity, national origin, religion, sex (including sexual orientation and gender identity), or disability.

## **Executive Order 14074 Requirements**

EO 14074 required the Director of OPM to “convene and chair an interagency working group to strengthen Federal law enforcement recruiting, hiring, promotion, and retention practices, with particular attention to promoting an inclusive, diverse, and expert law enforcement workforce.” The interagency working group (IWG), composed of the heads of FLEAs, was further tasked with consulting with “other stakeholders, such as law enforcement organizations.”

The IWG was charged with issuing an action plan within one year of the date EO 14074 was issued. In crafting this plan, the EO directed the IWG “to the extent possible, [to] coordinate on the development of a set of core policies and best practices to be used across all FLEAs in recruiting, hiring, promotion, and retention, while also identifying any agency-specific, unique recruiting, hiring, promotion, and retention challenges.” Furthermore, the EO specifically directed the IWG to:

- (i) assess existing policies and identify and share best practices for recruiting and hiring, including by considering the merits and feasibility of recruiting law enforcement officers who are representative of the communities they are sworn to serve (including recruits who live in or are from these communities) and by considering the recommendations made in the FLEAs’ strategic plans required under [Executive Order 14035](#) of June 25, 2021 (Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce).
- (ii) assess existing policies and identify and share best practices for promotion and retention, including by identifying ways to expand mentorship and leadership development opportunities for law enforcement officers.
- (iii) develop best practices for ensuring that performance evaluations and promotion decisions for Federal LEOs include an assessment of the officer’s adherence to agency policies, and that performance evaluations and promotion decisions for supervisors include an assessment of the supervisor’s effectiveness in addressing misconduct by officers they supervise.
- (iv) develop best practices for conducting background investigations and implementing properly validated selection procedures, including vetting mechanisms and ongoing employment screening that, consistent with the First Amendment and all applicable laws, help avoid the hiring and retention of law enforcement officers who promote unlawful violence, white supremacy, or other bias against persons based on race, ethnicity, national origin, religion, sex (including sexual orientation and gender identity), or disability.

## **Recruiting and Hiring**

### **Objective 1: To recruit and hire a diverse pool of highly qualified law enforcement professionals, fostering a safer and more effective Federal policing workforce, and emphasizing the importance of recruiting Federal LEOs who reflect the communities they are sworn to serve**

Recruiting and hiring qualified Federal Law Enforcement professionals is vital to improving safety within our agencies and our communities. As the Nation's largest employer, the Federal government must lead by example, championing the principles of equity, dignity, and accountability in the law enforcement field and our criminal justice system. Federal agencies should be equipped to develop and deploy recruiting and hiring strategies that attract talented law enforcement officers who can engage their communities, strengthen public trust, and improve the safety of those they are sworn to serve.

To help agencies achieve these goals, the EO directed the IWG to assess existing policies and identify and share best practices for recruiting and hiring, including by considering the merits and feasibility of recruiting law enforcement officers who are representative of the communities they are sworn to serve (recruits who live in or are from these communities) and by considering the recommendations made in the FLEAs' strategic plans required under Executive Order 14035 of June 25, 2021 (Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce).

The IWG identified several strategic recruiting and hiring practices and goals for Federal employment that have a demonstrated record of success in attracting and retaining qualified law enforcement officers in their organizations. These practices are aligned with broader recruiting, hiring, and retention strategies shared by the Department of Justice Office of Community Oriented Policing Services.

#### **OPM recommends agencies take the following actions to achieve Objective 1.**

##### **1. Employ recruiting strategies that focus on targeted messaging and branding**

For effective outreach to potential law enforcement candidates, agencies should work to carefully craft their messaging and branding to appeal to all ages and backgrounds. For example, given that different generations in the workforce consider work and reward in varied ways, agencies should consider the "employee value proposition," or EVP, for each generation of potential employees. Agencies should incorporate their

unique message, mission, and EVP into job announcements, print and digital promotional materials, and talking points used at networking events, job fairs, information sessions, career days, and other interactions with law enforcement job seekers.

To create an effective EVP, Federal agencies can follow these steps:

- Assess what they currently offer that is attractive to employees by creating an inventory of all aspects of employment. Specifically assess what agency employees perceive as valuable. This inventory could include items such as compensation, benefits, training and promotion opportunities, workplace flexibilities, or the organization's mission.
- Interview current and past employees to find out what is important to them and what they value at work. This list will help agencies understand what aspects of the job are attractive to some generations but are not important to others. Agencies can also use data collected from exit surveys and the Federal Employee Viewpoint Survey (FEVS) engagement index.
- Identify future hiring needs.
- Write an employee value proposition.
- Promote the EVP through appropriate channels.

Another effective recruiting strategy used by several agencies involves Realistic Job Previews (RJPs). Written RJPs or brief in-house videos featuring individuals currently in the role can be included in job announcements or promotional materials.

Agencies should also consider best practices for the targeted recruitment of various underrepresented populations. Examples of actions to recruit underrepresented populations in law enforcement, such as women, include:

- Reviewing assessment instruments and processes for potential bias.
- Reviewing the demographic data of applicants at each stage of the hiring and candidate assessment processes to determine where the agency is losing a disproportionate number of women and other underrepresented applicants and taking appropriate follow-up action.
- Articulating the duties and day-to-day activities of a Federal LEO and what it takes for an officer to be effective in these scenarios (e.g., using RJPs) and taking steps to



ensure that agency recruitment materials accurately represent the totality of these activities and skills.

- Seeking to ensure that underrepresented populations are represented in recruiting materials as part of an overall recruitment strategy that draws from the broad demographics of the community.
- Seeking to ensure that interview panels include people from different parts of the organization, as well as people with diverse perspectives and experiences.
- When appropriate, implementing a screening process that anonymizes applications by removing identifiable characteristics from a resume that are not related to the job or experiences needed for success. When implementing a screening process, consider removing personally identifiable information that might trigger unconscious biases. This information may include, but is not limited to, gender, age, name, and educational institutions attended.
- Reviewing applicant flow data to assess the effectiveness of outreach and recruiting strategies. If agencies are not reaching a diverse pool of talent, they should consider partnering with agency recruitment experts to ensure all communities are learning about job opportunities.
- Developing outreach and recruitment efforts within communities to attract local applicants, including use of local recruiting strategies rather than nationwide strategies. This includes taking advantage of hiring authorities where appropriate to target advertising about LEO jobs to the local community in which the LEO serves. Agencies should also partner with local law enforcement organizations on career fairs and other recruiting and hiring activities that will build an ongoing connection between the FLEA and Federal LEOs and their local community.
  - A specific example of how one agency is strategically marketing and branding its career paths through the effective use of technology is the Department of Interior (DOI) “My DOI Career” web platform. This dynamic platform allows users to explore careers and be informed of the skills and experience needed to achieve their desired jobs at DOI. It can be used by current and prospective employees to help them navigate DOI career paths. The platform’s multiple segments include “Find Your Path,” “Plan Your Path,” “Where Are We?,” “Featured Occupations,” and “Resources.” If a prospective applicant wants to learn more about a particular career, they can select the “Featured Occupations” section and find detailed information. For example, within that section, job seekers can obtain a wealth of information about Park Rangers’ job

requirements and responsibilities, a realistic job preview to know what to expect on the job, a description of the ideal candidate, and much more.

- Using a diverse selection of current Federal LEOs as “ambassadors” to get the word out about the many, varied opportunities for law enforcement in the Federal government. While job announcements and promotional materials can adequately describe duties and responsibilities, an actual employee discussing a “day in the life” of a Federal LEO with a prospective applicant can be both informative and persuasive. This is especially true when officers live in the communities they serve and can speak firsthand about the unique nuances of carrying out law enforcement duties and responsibilities in the context of what goes on in their respective environments.
  - For example, one agency employed a Senior Special Agent to serve as its National Recruiting Coordinator to create a personal connection with interested applicants to gauge sincerity of interest and share announcements and recruiting materials upon request. Such ambassadors can also be present at job fairs, career days, and networking events to speak directly with attendees who have a particular interest in law enforcement and answer their questions.
  - Another agency designated Special Agent “recruiters” at the GS-13 level within its field divisions throughout the United States. These recruiters worked with agencies, colleges, and others to recruit applicants for their Criminal Investigator positions.

## **2. Engage with sources of talent that are most closely connected with the law enforcement community, with special attention to where job seekers live and organizations that positively impact their community**

For maximum effectiveness, agencies should build relationships and regularly interact with a wide variety of talent sources that can connect them to job seekers with interest in and skill sets conducive to careers in law enforcement. These may include (i) campus talent sources such as career services professionals at colleges and universities that have programs in law enforcement-related fields such as criminal justice, auditing, and others, (ii) heads of criminal justice and related departments, (iii) affinity groups affiliated with particular groups of students, (iv) executive directors and staff at community-based organizations, and (v) contacts at local police departments, security-related firms, and military and veteran organizations.

To the extent that FLEAs can regularly network with community-specific law enforcement entities (e.g., local police departments), they can reach potential applicants who will understand the law enforcement needs of the communities they intend to serve. For example, one agency featured panel interviews with diverse panel members representing various law enforcement perspectives. Another agency partnered with Historically Black Colleges and Universities (HBCUs), Hispanic Serving Institutions (HSIs), and other Minority Serving Institutions (MSIs), student organizations, law enforcement organizations, veterans' organizations, professional associations, and military recruiting organizations to promote current job openings, host virtual information sessions, and conduct related activities. Interacting with a variety of sources will also connect agencies with job seekers who offer different perspectives.

### **3. Partner and collaborate with fellow agencies that hire for similar types of positions to make Federal employment attractive to individuals with the same skill sets and take advantage of economies of scale**

Departments and agencies should be intentional about partnering internally across all components and bureaus as well as externally with other FLEAs to share successful practices related to hiring and assessing high caliber talent, sharing certificates for common occupations, and outreach efforts. This type of coordination on recruiting and hiring can be lacking within and among agencies, and it should become a focus area for agencies because combining efforts on recruiting and hiring LEOs across an agency leads to a more efficient process and improved results.

For example, several bureaus within one agency partner to facilitate law enforcement recruiting and branding strategies for an integrated approach. One agency with law enforcement responsibilities collaborates with the Department of Defense (DoD) to reduce onboarding times by hiring transitioning military personnel to civilian law enforcement occupations while they are still on active duty and completing all the pre-hire requisites. Once this process is complete, the new hires are assigned a law enforcement job in the area in which they choose to work. Similar partnerships among other agencies can help in the sharing of resources and in promoting the Federal government to prospective candidates as an employer of choice with multiple law-enforcement related missions.

4. Partner with other FLEAs and the Federal Law Enforcement Training Center (FLETC) to use available training that aids in the development and use of emerging critical skills training for Federal LEOs. The Federal Law Enforcement Training Center Leadership Institute offers the following programs within the requested area of professional development/training for supervisors/managers:

**Law Enforcement Supervisors Leadership Training Program (LESLTP):** The Law Enforcement Supervisors Leadership Training Program provides a unique opportunity for law enforcement professionals to develop and refine their leadership skills. The program focuses heavily on human capital development disciplines and their interaction with the law enforcement mission and culture. Topical areas include leadership skills through understanding and adapting to human behaviors, communication skills, team building, conflict management, human resource management, legal responsibilities, stress management, workplace diversity, performance skills, public speaking, and situational decision-making skills. Taking into consideration life and work experience, participants will explore these topics and develop skills by means of an adult learning model that employs lecture, practical exercises, case studies, and self-directed learning. LESLTP is an eight-day training program.

**Leadership Through Understanding Human Behavior (LTUHB):** Leadership Through Understanding Human Behavior allows participants to develop a better understanding of themselves, interpersonal dynamics, and how their strengths, weaknesses, and roles within workgroups and teams affect a mission's outcome. Participants learn how to adapt to and capitalize on each other's strengths for more effective mission outcomes. The program starts by developing participants' self-awareness and ability to recognize behavioral styles in order to build relationships. As participants start to develop an understanding of the strengths and benefits associated with behavioral styles and value systems, collectively they start to develop strategies to accomplish goals. This information can be used to establish more effective teams by capitalizing on the strengths each individual brings to the group. More specifically, training can yield valuable information on the particular aspects of the team's development process. LTUHB is a three-day training program also offered as an export program.

**Leadership for Women in Law Enforcement (LWLE):** Leadership for Women in Law Enforcement is a training program designed to explore challenges for women in the law enforcement profession. Participation is gender-neutral, and FLETC encourages all interested persons to participate. This program fosters and supports inclusiveness while facilitating open, candid discussions and activities to develop leadership skills, improve resiliency, and increase understanding of challenges that a female law enforcement officer may encounter. Competency areas include understanding and adapting to human behaviors, communication skills, team building, decision-making, understanding gender differences, and emotional intelligence. While communicating life- and work-related experiences, participants will collaboratively develop their skills through lecture, labs, role-play, case studies, and self-directed learning. Topics and questions will be selected by participants for a group of diverse law enforcement executives who will lead a roundtable discussion. One-on-one instructor-led counseling will be available upon request to support growth and improvement in emotional intelligence. LWLE is a five-day training program and is also offered as an export program.

**Leadership in a Crisis Training Program (LICTP):** The Leadership in a Crisis Training Program is a research-based curriculum to help law enforcement officers and emergency managers from Federal, state, local and Tribal agencies hone the leadership skills that will be needed during a critical event. Because critical events can vary widely in size, scope, and impact, this program focuses on core concepts of communication, collaboration, critical thinking, and decision-making that are applicable in virtually any situation. Using innovative technology, LICTP creates an immersive environment that challenges the participants' ability to apply leadership, interpersonal, and decision-making skills in a crisis situation. LICTP addresses Homeland Security and OPM competencies in the areas of Influencing/Negotiating, Interpersonal Skills, Problem Solving, Crisis Management, DHS Joint Enterprise Perspective, Critical & Creative Thinking, and Collaborating and is a complement to FEMA ICS and NIMS training and procedures. LICTP is a three-day training program.

## **5. Leverage the use of available hiring authorities**

Agencies should consider the full array of hiring authorities available to them to address talent needs (See Appendix C under “Additional Recommended Actions Agencies Can Take for Recruiting and Hiring in Support of the Recruiting of Federal LEOs”). Special hiring authorities can be useful for targeted recruiting to meet specific needs. Agencies with more broad-based critical hiring needs can pursue additional flexibilities from OPM, such as [direct hire authority](#).

## **Promotion and Retention**

### **Objective 2: To enhance retention rates and promote career advancement for Federal LEOs by offering competitive compensation packages, incentives, and standardized professional development programs**

Neglecting the promotion and retention of LEOs is costly and undermines law enforcement agencies' effectiveness. To align with the objectives outlined in the EO, which emphasize expanding opportunities, agencies must invest substantial resources to recruit, hire, and train LEOs. The EO entrusted the IWG with assessing existing policies and uncovering and disseminating best practices for promotion and retention, including by identifying ways to expand mentorship and leadership development opportunities for law enforcement officers.

Federal agencies reported exploring and implementing a variety of strategies to retain LEOs, primarily centered around compensation flexibility. These strategies encompassed recruitment, relocation, and retention incentives, student loan repayments, special rates, and creditable service for annual leave accrual for non-Federal work experience and experience in the uniformed service. Agencies also reported generally adhering to established promotion rules and procedures for Federal LEOs occupying career ladder positions. Furthermore, agencies identified the ways they implement mentorship initiatives, temporary detail assignments, and other developmental opportunities for Federal LEOs that provide additional leadership and technical skills, which in turn enhance their prospects for promotion.

### **Compensation Flexibilities for Federal LEO Recruiting and Retention**

Though the salary of Federal LEOs is largely set by statute, agencies have considerable discretionary authority to provide additional compensation and leave benefits to support Federal law enforcement recruiting, relocation, and retention efforts. Information on [government-wide pay and leave flexibilities](#) can be found on OPM's website.

Agencies reported some obstacles that serve as barriers to expanding development opportunities for Federal LEOs. Some agencies reported that they lack adequate or dedicated funding to use available flexibilities. Others indicated the need to determine whether funding allows for ongoing payment of recruiting or retention incentives, as well as if past incentive programs have been terminated or paused for lack of funding.

## **Use pay and leave flexibilities to recruit top Federal LEO talent to improve retention and promotion**

### **1. Adopt a holistic approach when leveraging pay and leave flexibilities, considering the following strategies**

- **Use student loan repayment programs.** Some agencies reported leveraging the student loan repayment program to retain top talent. This program permits agencies to repay Federally insured student loans as a recruiting or retention incentive for candidates or current employees of the agency in exchange for a service commitment.
- **Request OPM approval for special salary rates.** Some agencies have obtained approval from OPM to offer higher rates of pay to Federal LEOs under OPM's special salary rate authority. This tool can help when there are recruiting and retention challenges in specific geographic areas or with specific occupations.
- **Provide creditable service for annual leave accrual for non-Federal work experience and experience in the uniformed service.** Agencies can credit Federal LEO candidates for other relevant service for purposes of determining the rate at which they will earn annual leave. This tool can help recruit and retain Federal LEOs who have greater leave benefits in previous non-Federal jobs and want to be sure they will have sufficient leave time when joining the Federal government. Additional information on such practices and recommended actions are provided below.
- **Delegate incentive pay authority.** To allow for managers to act decisively to retain top talent, some agencies have delegated incentive payment authority to managers within specified limits.
- **Prioritize retention of senior leaders.** To support succession planning and transition to new leadership, some agencies reserve a certain amount of budget for retention incentives on a case-by-case basis for members of the Senior Executive Service and other key managers who are likely to leave the Federal service.
- **Establish group retention incentives.** Some agencies use group retention incentives to address retention difficulties for targeted categories of employees with critical law enforcement, cybersecurity, or other skills that meet performance and rank eligibility requirements when there is a high risk that a significant number of employees in the group are likely to leave Federal service.

- **Provide lump sum retention incentive payments.** Some agencies pay retention incentives in a lump sum after an employee has fulfilled a service agreement instead of biweekly as an enticement for the employee to stay with the agency for the full service period. Some agencies may find it helpful to work with OMB when developing and submitting budget requests to include any necessary funding for incentive payments.

## **2. Include the Chief Diversity Officer, Chief Data Officer, Chief Human Capital Officer, and Chief Financial Officer when developing and implementing pay flexibilities**

Ensuring that management and hiring teams coordinate with each other and across the agency is vital to addressing Federal law enforcement recruiting and retention challenges to help establish and maintain funding levels for programs that are working. OPM recommends that agencies establish systems to evaluate the use of pay flexibilities and incentives aimed at strengthening agency retention.

Agencies should partner with OPM to explore government-wide opportunities to provide additional guidance to agencies on the strategic use of pay and leave flexibilities for Federal LEOs and to resolve staffing challenges using pay flexibilities.



## **Mentorship and Leadership Development**

### **Objective 3: To establish Federal law enforcement mentorship and leadership development programs to ensure the promotion and retention of top talent in Federal Law Enforcement Agencies (FLEAs)**

Mentorship embodies a professional relationship in which an experienced employee (mentor) guides a less experienced one (mentee) in honing specific skills and knowledge. In response to the EO's directive to expand mentorship and leadership development, agencies have reported utilizing various mentorship and development opportunities to improve retention and support promotions.

Most agencies that responded to OPM's survey identified internal mentorship and development programs that emphasize leadership and management competencies. Some agencies provide structured mentorship programs, requiring candidates and mentors to provide regular feedback to program managers, ensuring candidates maintain an individual development plan; others described their programs as having fewer formal requirements. These mentorship relationships and programs cultivate an environment of encouragement. This fosters employee retention by establishing an organizational culture that is attractive to top talent seeking development and advancement opportunities. Mentoring also serves as a tangible demonstration to employees that they are valued members of their organizations.

In addition to mentorship, the EO also tasked the IWG to assess leadership development programs. Under Title 5 *U.S.C. 4121* and Title 5 *CFR 412*, agency heads are responsible for establishing succession management programs, which includes training employees for management roles. Effective succession planning ensures an adequate number of qualified individuals are prepared to fill supervisory roles that are critical functions within the organization.

Agencies must provide training when employees make critical career transitions, such as moving from a non-supervisory position to a supervisory position or from manager to executive positions. This training should align with both the agency's and employee's needs. Moreover, agencies are required to develop individuals identified as potential candidates, based on the agencies' succession plans (Title 5 *CFR 412.201*).

More specifically, Title 5 CFR 412 (external link) (*on Supervisory, Managerial, and Executive Development*) requires new supervisors to receive:

- Initial supervisory training within one year of the new supervisor's appointment.
- Periodic retraining in all areas at least once every three years.
- Training on mentoring employees.
- Training on improving employee performance and productivity.
- Training on conducting performance appraisals.

Leadership development should take place at all levels, and many law enforcement agencies responding to the survey have identified practices that meet or exceed OPM's leadership and executive development requirements. Furthermore, agencies must design and evaluate supervisory training programs that align with organizational needs, mitigate knowledge risk, and demonstrate increased proficiency in line with employees' career progression. By taking this important planning step, agencies can formulate a leadership development strategy that yields more robust and meaningful contributions to agency outcomes. Regular evaluations of program effectiveness lead to increased capacity, sustained resource allocation, and evidence-based program decisions.

Several reporting agencies not only meet the basic requirements for leadership development opportunities but also demonstrate promising practices. These noteworthy practices include:

- **The 70-20-10 model.** True learning takes place when individuals can apply their skills to real situations. Through this approach 70% of learning takes place on the job (e.g., rotation assignments); 20% of learning results from meaningful relationships (i.e., mentoring) and coaching; and 10% of learning occurs through formal training (e.g., in-person or virtual courses).
- **The 3-33% development model.** Also known as the Pervasive Learning model, this recognizes that learning can take place anytime and anywhere through three methods of exposure. In this approach 33% of learning takes place through formal learning (e.g., e-learning, rotations, physical or virtual classrooms, performance reviews, etc.), 33% in social learning (e.g., blogs, user-generated content, tagging, comments, ratings, etc.), and finally, 33% informal learning (e.g., mentoring, coaching, shadowing, podcast/webinars, case studies, books, etc.).

- **In-person leadership assessments.** Some agencies offer one-day, in-person assessments that allow Federal LEOs to exercise and measure the knowledge, skills, and abilities they need to successfully perform at the next grade level.
- **Deputy development programs.** Several agencies have established “deputy” development programs, permitting officers to complete tasks in various program areas, from level GS-5 through GS-12.
- **In-person assessment tools for improving emotional intelligence and team dynamics.** Some agencies use these assessment tools as part of their training programs. One agency uses an assessment that allows participants the opportunity to assess their ability to develop self-awareness, interpersonal dynamics, and how their strengths and weaknesses and roles within workgroups and teams affect a mission’s outcome. This knowledge then gives Federal LEOs the opportunity to better understand themselves.
- **Distance learning programs.** Participant are offered the opportunity to train virtually or via an online platform.
- **Lead assignments from current grade levels and higher (including temporary promotions).** Employees are offered an opportunity to learn new skills or apply existing skills in a new and different way. Federal LEOs can participate by applying to lead an assignment or a detail within their organization or with another Federal agency.

**OPM recommends agencies take the following actions to achieve Objective 3.**

**1. Establish or enhance existing Federal LEO professional support and development programs**

Agencies should consider developing mentorship programs for law enforcement officers and use OPM’s “Best Practices: Mentoring Guide” for an outline of the critical steps in developing and implementing a formal mentoring program.

**2. Ensure that law enforcement officers are informed of and have access to wellness and employee support services and that institutional culture promotes well-being**

Managers and supervisors are encouraged to:

- Remind Federal LEOs about the importance of cultivating healthy wellness habits, which include caring for one’s mental health on a proactive rather than reactive basis.

- Foster a healthy work environment in which personnel can readily access services, including by normalizing conversations about mental health and well-being to destigmatize obtaining mental health and other treatment.
- Promote Employee Assistance Programs (EAPs) and highlight the benefits and availability of regular mental health and other counseling and resources that can help maintain positive mental health.

### 3. Build leadership capability at all levels to support effective succession management

OPM encourages all agencies to find ways to effectively develop leaders at all levels. Agencies should provide additional training opportunities for leaders of all levels on Human Resources-related technical knowledge and leadership competencies. This will reduce the need for intensive training after employees receive their first supervisory role.

### 4. Utilize the categories of leadership development interventions when designing training and development opportunities for organizational leaders

The most effective leadership development programs will be those that combine and integrate learning activities from one or more of the five categories of leadership development interventions (e.g., instructor-led, experiential activities, developmental relationships, assessments and feedback, and self-development). The [OPM Effective Learning Interventions for Developing ECQs](#) report addresses these five classes of leadership development interventions and learning activities specific to each. The report includes a Leadership Development Matrix that lists a range of leadership development activities that best develop each of the twenty-two (22) core leadership competencies and six (6) fundamental competencies within the Executive Core Qualifications (ECQs). Agencies should keep this in mind when designing their programs.

### 5. Provide supplemental development programs and services

Agencies should provide coaching services and sabbatical opportunities to supplement leadership development efforts, particularly for new Senior Executive Service (SES) law enforcement professionals during their first year.

- **Coaching** is an experiential development process that facilitates change and growth in both individuals and groups. In Federal government, coaching is used to address professional or business-related challenges and can serve as an effective tool to

develop leadership skills to promote culture change and foster inclusive workplaces. Through structured dialogue, coaches help deepen an employee's insights and translate those insights into actions. Coaches apply specific techniques and skills, approaches, and methodologies that enable the employee to develop their goals and design actions to achieve them. The employee drives the coaching agenda and is ultimately responsible for the outcome of the coaching engagement.

- **Sabbatical opportunities** are an example of professional development that can broaden professional skills and provide an opportunity for personal growth. Sabbatical activities can include teaching, study (independent or structured), research, or some combination of these at a college or university; non-institutional study or research (independent or guided); periods of relevant and developmental work experience in the private sector or with nonprofit organizations or state, Tribal, local, or territorial governments. Agencies may grant a career SES appointee absence from duty, without charge to pay or leave, to engage in study or uncompensated work experience.

## 6. Integrate the use of 360-degree evaluations

Agencies are encouraged to provide employees multisource or [360-degree assessments](#) that evaluate interpersonal skills. Further, it is recommended that employees work with a coach to develop an individual development or learning plan to address identified gaps.

## 7. Develop and utilize individual development plans (IDPs) and executive development plans (EDPs)

IDPs and EDPs can be an effective tool to assist employees in career and personal development. Agencies are encouraged to have all employees create and follow an IDP or EDP. IDPs and EDPs help employees reach short- and long-term career goals, improve current job performance, and align training and development efforts with the agency's mission, goals, and objectives.

## 8. Develop pre-supervisory training programs to meet the needs of the organization and the aspirations of individual employees

Additionally, agencies can take a broader approach to supervisory training using OPM's Federal Supervisory and Managerial Frameworks and Guidance as they design supervisory training curriculum, complete competency needs assessment, develop training solutions, and ensure compliance with training requirements.

Agencies should consider the competencies listed in the [OPM Supervisory Guide](#) when developing their pre-supervisory leadership developmental programs. Furthermore, pre-supervisory leadership developmental programs should be based on the Executive Core Qualifications (ECQs). Agencies may identify specific competencies from the ECQs and OPM Supervisory Guide and apply them to all leadership development programs starting with pre-supervisory training extending through executive development.

#### **9. Provide all Federal LEOs annual anti-bias training**

OPM encourages agencies to provide all Federal LEOs anti-bias training for law enforcement officers of the nature described in and required by section 9 of EO 14074. Training should include education on implicit bias and should increase knowledge and skills on avoiding improper profiling based on the actual or perceived race, ethnicity, national origin, limited English proficiency, religion, sex (including sexual orientation and gender identity), or disability of individuals.

## **Assessment of Agency Practices Related to Performance Evaluation and Conduct**

### **Objective 4: To enhance the effectiveness of Federal LEOs, ensuring misconduct is quickly and appropriately addressed through the adoption of performance management best practices**

The EO directed the IWG to develop best practices for ensuring that performance evaluations and promotion decisions for Federal LEOs include an assessment of officers' adherence to agency policies. Additionally, it stresses that performance evaluations and promotion decisions for supervisors should also include an assessment of the supervisor's effectiveness in addressing misconduct by officers they supervise.

Strong performance management systems are critical to ensuring that misconduct is prevented, and when discovered, addressed immediately. Additionally, effective performance management systems help establish and improve performance in employees, leading to an increase in effectiveness. By focusing on the development of employees and the alignment of agency or organization goals with team and individual goals, supervisors and managers can create a work environment that enables both employees and the agency or organization to thrive.

[Chapter 43 of Title 5](#), United States Code, contains the requirements for Title 5 performance appraisals. OPM provides several performance management resources for agencies subject to chapter 43 to assist them with managing their appraisal systems and programs. For example, OPM's "[A Handbook for Measuring Employee Performance](#)," published in 2017, is a comprehensive tool that includes step-by-step guidance on developing employee performance plans that are aligned with and support organizational goals.

OPM received input from eight agencies on their performance management system, including any self-identified promising practices. All eight agencies that responded have OPM-approved performance management systems, meaning those systems comply with all statutory and regulatory requirements for performance management.

Finally, it is important to note that there is a difference between poor performance and misconduct that violates agency policies or law. While it is appropriate and recommended that a performance requirement for a supervisor should address the misconduct of an employee they supervise, any misconduct by an employee is

addressed under [5 U.S.C. Chapter 75](#), Adverse Actions. See OPM’s guidance on “Addressing and Resolving Poor Performance,” for more information on distinctions between poor performance and misconduct.

#### **OPM recommends Agencies take the following actions to achieve Objective 4.**

##### **1. Ensure performance management systems include mechanisms to prevent and identify misconduct**

For all Federal LEOs, the creation of the performance plan means setting performance expectations and goals for groups and individuals to channel their efforts toward achieving organizational objectives. Expectations regarding adherence to agency policies and/or effectively addressing misconduct should be clearly conveyed as requirements in the performance plan, as appropriate. OPM recommends ensuring that performance elements and standards are measurable, understandable, verifiable, equitable, and achievable, so that officers are in a better position to be held accountable by:

- Ensuring all Federal LEO performance plans contain a performance requirement that assesses adherence to agency policies.
- Ensuring all Federal LEO supervisors’ performance plans contain a performance requirement that assesses their effectiveness in addressing misconduct by officers they supervise.

As part of the annual performance management process, supervisors of both supervisory and non-supervisory employees should continually monitor their employees’ performance. Monitoring well means consistently measuring performance and providing ongoing feedback to employees on their progress toward reaching their goals. Part of Agency monitoring should include assessing a supervisor’s effectiveness in addressing misconduct by officers they supervise and providing feedback to that supervisor if their effectiveness is lacking or requires additional training. OPM recommends that agency monitoring procedures include:

- Assessing the employee’s effectiveness in addressing misconduct by officers under their supervision as soon as they are informed of the misconduct.
- For Senior Executive Service employees, the agency or component Performance Review Board should play an active role in reviewing, and providing feedback on, performance requirements at the beginning of the performance period to ensure



their senior leaders' accountability in serving the public trust and interest by fostering environments free of abuse and discriminatory practices.

## 2. Take concrete steps to prevent and identify Federal LEO misconduct

The best way for managers and supervisors to handle performance or conduct issues is to take action to avoid performance problems or conduct issues before they occur. If problems arise, addressing them clearly and promptly with appropriate consequences is important to maintaining a culture of accountability. Some practices that FLEAs should take are:

- **Communicate clear performance standards and expectations to employees.** If employees do not understand what is expected, it will be very hard, if not impossible, for them to meet those expectations. Providing clear expectations does not necessarily require a manager or supervisor to lay out precisely written, detailed instructions on every performance component but should provide expectations with enough clarity and specificity so that employees understand their responsibilities and can be held accountable for them. Generally, the question managers or supervisors should ask in drafting performance standards is, "Would a reasonable person understand what is expected?"
- **Provide regular and consistent feedback on performance.** Such feedback, both positive and corrective, whether given in regularly scheduled meetings or in unscheduled discussions, is crucial to ensuring that expectations are understood. Consistent feedback lessens the likelihood that an employee will be surprised if it becomes necessary to take formal steps to resolve unacceptable performance. Supervisors and managers should always look for opportunities to confirm their employees understand what is expected.
- **Reward and recognize good performance, informally and formally.** Recognizing good performance is simply another way to clarify and reinforce expectations. Recognizing good performance boosts morale and increases the likelihood that good performance will continue. Informal, or unscheduled feedback, where you tell an employee they've done a good job or provide a suggestion for improvement, can be helpful to provide information when it is fresh in everyone's mind and a good supplement to providing formal feedback as part of the performance management cycle.
- **Make full use of the probationary period for employees.** Performance problems often first show up during the initial period of Federal employment. This period is designed to provide an opportunity for managers and supervisors to address such

problems in an expedient manner. Furthermore, removing probationary employees based on conduct and performance issues during this trial period increases efficiency since employees do not yet have the full procedures and appeal rights granted to employees who have completed probationary periods.

- **Set the desired example by the manager's or supervisor's own conduct.** Employees often follow the lead of their managers and supervisors. Demonstrating leadership through clear communication, taking initiative, and being inclusive can set the tone for the workplace.
- **Maintain a good work atmosphere.** Creating inclusive work environments where the workforce is fully engaged can support organizational success and performance.

### 3. Maintain effective lines of communication with the Human Resources Office and Agency Legal Office

While managers and supervisors are ultimately responsible for addressing performance and conduct problems, they are not expected to be subject matter experts on application of the tools discussed above. The Human Resources Office and Agency Legal Office are available to advise, assist, and guide managers and supervisors through the available processes for addressing performance and conduct issues.

## **Personnel Vetting**

**Objective 5: To ensure FLEAs use effective vetting and employment screening, consistent with the First Amendment and all applicable laws, to avoid the hiring and retention of law enforcement officers who do not adhere to agency performance management and conduct expectations**

The EO directed the IWG to develop best practices for conducting background investigations and implementing properly validated selection procedures, including vetting mechanisms and ongoing employment screening, which, consistent with the First Amendment and all applicable laws, help avoid the hiring and retention of law enforcement officers who promote unlawful violence, white supremacy, or other bias against persons based on race, ethnicity, national origin, religion, sex (including sexual orientation and gender identity), or disability. Federal agencies with a law enforcement focus reported following standard vetting rules and procedures.

OPM's Director, in their role as the Suitability and Credentialing Executive Agent, prescribes government-wide suitability, fitness, and credentialing standards. Through requirements and guidance, much of which is issued jointly with the Director of the Office of National Intelligence in their role as the Security Executive Agent, vetting processes are uniform, centralized, efficient, and effective. Below, an overview of how the vetting process applies to Federal employees, including Federal LEOs.

**OPM recommends Agencies take the following actions to achieve Objective 5.**

### **1. Conduct pre-employment screening**

Agencies may consider instituting a process to screen available application-related information (e.g., Optional Form 306 Declaration for Federal Employment, resume, results of pre-employment checks, etc.) ahead of setting an onboarding date and/or requesting the required background investigation. Doing so allows agencies to identify and address potential suitability issues earlier in the process, thus saving the expense of a background investigation and time associated with training individuals who may later be found unsuitable.

When conducting screening, agencies should consider the following practices:

- Agencies may perform suitability review as part of the hiring process consistent with regulations on the timing of collection of criminal or credit history

information which, without an exception or exemption, cannot be collected prior to a conditional offer of employment. Title 5 *CFR parts 330 and 731* provide requirements that agencies must follow with respect to inquiries into an applicant's adverse credit history. Agencies must have an OPM-approved exception based upon business need to collect credit history information prior to conditional job offer. Title 5 *CFR part 920* implements the Fair Chance to Compete for Jobs Act (Fair Chance Act) which places limitations on criminal history inquiries prior to conditional job offer. The Fair Chance Act prohibits agency personnel from requesting, in oral or written form, criminal history record information from an applicant prior to conditional offer unless there is an exception. The prohibition does not apply to Federal LEO positions meeting the definition in Title 18 *U.S. Code 115(c)*.

- Screening involves reviewing available application-related information, for potential suitability issues as addressed in the suitability factors and additional considerations found in Title 5 *CFR 731.202(b) & (c)*.
- Suitability determinations require consideration of how an individual's character and conduct may impact or effect the integrity and efficiency of the service, considering any nexus between conduct and the nature of the position.
- Suitability decisions are not based upon cutoffs or thresholds, and in most instances are made upon the "whole person."
- Agency HR and Personnel Security offices can benefit from sharing information collected/generated during the application/hiring process (i.e., resumes, job questionnaires, position descriptions, reference checks, etc.) as it can be relevant to vetting.
- Agencies may collect information directly from the individual as needed to resolve potential issues.
- For positions covered by Title 5 *CFR part 731*, agencies can refer or must notify OPM of any cases with evidence of material, intentional falsification, or other conduct that may warrant a government-wide debarment. Agencies may also pursue a suitability action against applicants, which may include imposing a debarment, in accordance with part 731 and supplemental guidance.
- In supplemental guidance for Title 5 *CFR part 731*, OPM provides a model suitability screening process that agencies may follow.

## **2. Conduct background investigations and continuous vetting**

By following vetting requirements established by Executive Orders, laws, regulations, and policies, agencies gain access to information from the individual's background that is relevant to assessing the characteristics of a person who can be trusted to protect people, property, information, and mission. OPM's suitability regulations at Title 5 *CFR part 731*, in part establish, subject to investigation, requirements for an individual's initial appointment as well as rules for conducting vetting on an ongoing basis once employed. The OPM Director, who has the role of the Suitability and Credentialing Executive Agent, in collaboration with the Director of National Intelligence, who has the role of the Security Executive Agent, issues personnel vetting-related policies that are based upon the degree of risk an individual occupying a position may present to the public trust and national security. OPM and the Office of the Director of National Intelligence also issue National Training Standards for Suitability and Security Adjudicators and Background Investigators to ensure standardization and consistency in personnel vetting.

There are several requirements that agencies must abide by, including:

- Agencies must follow requirements for position designation to ensure the appropriate level of background investigation is conducted.
- Agencies must screen the investigative questionnaire for completeness and accuracy and compare it to other relevant forms (i.e., OF 306, resume) to identify any discrepancies that need to be brought to the attention of the authorized investigative service provider.
- Following applicable requirements, agencies may elect to onboard individuals ahead of the background investigation being completed.
- Individuals must be investigated by authorized investigative service providers. When onboarded, agencies must enroll individuals into continuous vetting in accordance with established requirements. Continuous vetting allows agencies to receive near real-time data to assess whether an individual's conduct throughout the course of employment may present a risk to the national security or integrity or efficiency of the service. It includes specified checks conducted by authorized investigative service providers and information provided by complementary missions (e.g., Office of Inspector General, Employee Relations, Internal Affairs, etc.).

- Information of the nature described in section 5 of EO 14074 to be centralized in the National Law Enforcement Accountability Database established by the Attorney General could be relevant to the vetting process. OPM, in consultation with the Office of the Director of National Intelligence, will prepare requirements and guidance for agencies for incorporating a check of this data source as part of personnel vetting.

### **3. Adjudicate background investigations and continuous vetting**

Depending on the position, agencies must make one or more types of adjudicative determinations. Positions may require a suitability or fitness determination, which is a decision on how an individual's character or conduct may impact the integrity and efficiency of the service. If a position is designated as national security sensitive, it will require a determination of the individual's eligibility to hold the position and/or access classified information, consistent with the interest of national security. Additionally, a decision may be needed on eligibility to be granted a personal identity verification (PIV) credential for access to government facilities and information technology systems. PIV credentialing determinations consider the protection of the Government's physical assets, information systems including privileged, proprietary, financial, or medical, and the privacy of individuals whose data the Government holds in its systems. With requirements for ongoing vetting of employees, as applicable, agencies can have access to new information from an individual's background and assess it for impact on continuing trustworthiness.

When agencies find an individual unsuitable or unfit or ineligible for a PIV credential or to hold a sensitive position, they can make a determination on employment or continuing employment, in accordance with applicable adjudicative criteria and policy. For positions covered by Title 5 *CFR part 731*, agencies also have the option of pursuing suitability actions, which includes imposing debarments from certain positions for up to three years.

In accordance with their suitability delegation from OPM, agencies abide by the following:

- Ensure that adjudicators are properly trained in accordance with the National Training Standards for Suitability Adjudicators.
- Apply reciprocity, in accordance with established requirements, to improve mobility and avoid unnecessary expenditure of government resources.

- Report adjudicative determinations into the governmentwide reciprocity system, which not only promotes reciprocity but also allows other agencies to know if an agency may be in possession of relevant information.
- Refer cases to OPM for adjudication when the issues involved indicate a government-wide debarment may be warranted. These matters will include material, intentional falsification or deception or fraud in examination or appointment or other egregious conduct. For cases that involve issues warranting a government-wide debarment, OPM may assume jurisdiction to take a suitability action including imposing a debarment from holding covered positions across the Executive Branch.

## Appendix A: Data on Law Enforcement Agencies

The agencies participating in the IWG employ 98% of Federal LEOs. The breakdown of the number of LEOs employed in FLEAs is below:

**Table 1: Governmentwide Federal LEOs as of December 2022**

Agency	Totals	Percentage
Government-wide Total	144,754	100%
IWG Agencies Total	141,762	98%
AF-Department of the Air Force	3,238	2.2%
AG-Department of Agriculture	1,123	0.8%
AR-Department of the Army	2,678	1.9%
CM-Department of Commerce	551	0.4%
DD-Department of Defense	3,501	2.4%
DJ-Department of Justice	28,110	19.4%
ED-Department of Education	104	0.1%
HE-Department of Health and Human Services	898	0.6%
HS-Department of Homeland Security	86,347	59.7%
IN-Department of the Interior	2,056	1.4%
NV-Department of the Navy	4,033	2.8%
TD-Department of Transportation	799	0.6%
TR-Department of Treasury	3,351	2.3%
VA-Department of Veterans Affairs	4,866	3.4%



Federal LEOs work in jobs that range from GS-03 to GS-15 and Senior Executive Service (SES), with positions at GS-13 and higher typically occupied by the management ranks. Here is a snapshot of the grade levels of Federal LEO positions across government.

**Table 2: Grade/Rank and Supervisory Status of Federal LEOs as of December 2022**

Grade/Rank	Non-Supervisory	Supervisory	Totals
03	1	0	1
04	26	0	26
05	1,065	0	1,065
06	1,847	1	1,848
07	7,233	17	7,250
08	1,626	300	1,926
09	8,040	484	8,524
10	2,146	162	2,308
11	8,633	306	8,939
12	44,760	483	45,243
13	30,226	9,057	39,283
14	2,944	9,223	12,167
15	178	3,089	3,267
Other	8,876	3,450	12,326
SES	0	581	581
<b>Total</b>	<b>117,605</b>	<b>27,149</b>	<b>144,754</b>

Currently, 47,583 Federal LEOs (34%) are eligible to retire in the next five years. The number of Federal LEOs employed by the Federal government has increased by 2% over the past five years. The 10 agencies that have hired the most Federal LEOs over the past five years are the following:

**Table 3: Federal LEO New Hires by Fiscal Year**

Agency	2018	2019	2020	2021	2022	Total
<b>Government-wide Total</b>	<b>7,808</b>	<b>9,713</b>	<b>9,034</b>	<b>7,869</b>	<b>8,525</b>	<b>42,949</b>
HS-Department of Homeland Security	3,871	5,150	4,547	3,206	4,085	20,859
DJ-Department of Justice	1,171	1,318	1,413	1,491	1,538	6,931
AF-Department of the Air Force	786	844	860	1,084	647	4,221
VA-Department of Veterans Affairs	493	658	658	494	457	2,760
NV-Department of the Navy	591	685	526	450	364	2,616
AR-Department of the Army	240	266	235	260	300	1,301
DD-Department of Defense	147	171	196	202	366	1,082
TR-Department of Treasury	64	120	190	219	206	799
IN-Department of the Interior	50	94	101	89	145	479
OM-Office of Personnel Management	206	82	3	1	3	295

## **Appendix B: Methodology and External Stakeholder Engagement**

### **Introduction**

The creation of this action plan was informed by extensive stakeholder engagement to ensure a broad range of perspectives from FLEAs and the communities they serve. OPM engaged 35 external stakeholder organizations in 12 different focus group sessions. External stakeholder organizations included civil rights and civil liberties groups, good government groups, local and state law enforcement leaders, policing organizations, and unions to consider feedback and opportunities to make policing safer and more effective by strengthening trust between law enforcement officers and the communities they serve, and to ensure the criminal justice system protects and serves all people equally.

### **Methodology**

OPM convened the IWG, recruiting 13 FLEA participants. The agencies represented in the IWG are as follows:

- Department of Agriculture
- Department of Commerce
- Department of Defense
- Department of Education
- Department of Health and Human Services
- Department of Homeland Security
- Department of the Interior
- Department of Justice
- Department of Transportation
- Department of the Treasury
- General Services Administration
- Office of Personnel Management
- Department of Veterans Affairs

OPM tasked each IWG agency with assessing existing policies and identifying best practices used by their agency to outline the steps needed to achieve the identified goals of the EO. The IWG met 10 times from October 2022 through May 2023.

- At the initial IWG meeting, OPM convened agency staff to preview the EO requirements and expectations of the IWG.
- In November, OPM convened a Principals Meeting led by the OPM Director. At the Principals Meeting, agency heads and their representatives discussed promising practices related to recruiting, hiring, promotion, and retention.
- Also in November, OPM previewed the requirement of the data call for IWG staff existing policies and promising practices.
- The IWG then met monthly until May 2023.

To capture data on the topics the IWG was charged with addressing, OPM also created an electronic **survey** requesting information regarding the agency's: (1) recruiting and hiring practices; (2) promotion and retention processes; (3) assessment of Federal LEOs' adherence to agency policies during performance evaluations and promotion decisions; and (4) background investigations and implementation of properly validated selection procedures.

- In December, OPM issued the data call for existing policies and promising practices using an electronic survey tool. The survey link was delivered to an agency-designated representative. Agency representatives were tasked with coordinating their agency's response. Each individual agency response was required to incorporate information from each of their components into a single survey submission that was due to OPM on January 30, 2023. There was robust participation in the survey by IWG agencies.
- Beginning in January and continuing through May, OPM met regularly with the IWG and subject matter experts to discuss promising practices agencies submitted in the agency surveys and prioritize the issues to address in the action plan.

We also incorporated extensive **external stakeholder feedback**, including from 35 stakeholder organizations from law enforcement civil rights and civil liberties groups, good government organizations, local and state leaders, and unions on opportunities to make policing safer and more effective by strengthening trust between law

enforcement officers and the communities they serve, and to advance a criminal justice system that protects and serves all people equally.

- Beginning in February, OPM held stakeholder focus group sessions with several organizations. The stakeholders met with OPM in three separate groups between February and May.
- The objective of stakeholder focus groups was to consult with stakeholders as the IWG assessed existing policies and identified promising practices to determine the steps needed to achieve the identified goals of strengthening Federal law enforcement recruiting, hiring, promotion, and retention practices, performance evaluation, and vetting, with particular attention to promoting an inclusive, diverse, and expert law enforcement workforce. During the sessions, OPM facilitators took extensive notes to record stakeholder feedback and recommended actions.
- Following the stakeholder focus group sessions, OPM socialized the stakeholder feedback with the IWG to incorporate stakeholder recommendations into the action plan where appropriate.

## **Stakeholder Feedback and Recommendations**

This appendix provides a high-level summary of feedback and recommended actions for agencies collected during focus group sessions held between February and May 2023. Anecdotal data collected during these sessions include recommended actions for improving safer policing and effectiveness by strengthening trust between law enforcement officers and the communities they serve and ensuring the criminal justice system is safer and more effective, so it protects and serves all people equally. The recommended actions provided below summarize sentiments participants collectively supported and are not attributable to any one organization.

### **Stakeholder Recommendations for Objective 1: Recruitment and Hiring**

- Increase targeted recruiting for early career talent from education programs that attract public service-minded individuals who are not traditionally recruited for Federal LEO roles, such as education, nursing, psychology, epidemiology, and social work.
- Promote equitable hiring, retention, and promotion of women and people from historically underrepresented communities through strategies including:

- Ensuring that women, people of color, the LGBTQI+ community, and people with disabilities, etc., are represented in recruiting materials as part of an overall recruiting strategy that reflects the broad demographics of the community.
- Ensuring that in hiring, applicant assessment processes incorporate qualities such as embracing diversity by adopting a standardized assessment and decision-making process to ensure the same information is collected on each individual and is used in a consistent manner in employment decisions.
- Analyze demographic data at every phase of the employment process. OPM has referenced this feedback in the recruiting section of the action plan.

### **Stakeholder Recommendations for Objective 2: Promotion and Retention**

- Evaluate the necessity of degree requirements for high-ranking positions and consider whether professional training and other experience may provide candidates with the skills and abilities to perform the job.
- Introduce financial literacy into post-selection training.
  - Focus group participants shared concerns that qualified applicants from low-income and rural backgrounds had the potential of being systemically disqualified during suitability screening because of debt.
  - Stakeholders suggested the use of financial literacy training in lieu of the use of credit screening during post-selection suitability review.
- Use workplace flexibilities to accommodate women and working parents. Below is a list of issues to be addressed and suggestions for flexibilities needed as identified during focus group sessions:
  - Relocation and promotional opportunities are an issue for women and families in the workforce. Relocating to several assignments is seen as a requirement for promotional opportunities and this requirement may have negative impacts on working parents, potentially leading to career and financial limitation when relocation is not possible.
  - Provide accommodations for lactating persons. The recommendations to support people who lactate are:
    - ◇ Provide flexible schedules to accommodate for lactation and allow adequate time for officers to get to their lactation area and back to their duties.

- ◇ Train supervisors and teams on how to support lactating officers' needs.
- ◇ Provide accessible and proximate lactation stations furnished with a power source, clean water source, comfortable seating, and refrigeration.
- Allow officers to work overtime immediately after leaving the academy. Experts have shared that many officers struggle financially in the beginning of an LEO career, and this change would address financial burdens new officers experience.

### **Stakeholder Recommendations for Objective 3: Mentorship and Leadership Development**

- Hire Chief Learning Officers (CLO) and adequately resource a CLO Office to:
  - Develop and maintain training programs.
  - Develop and utilize IDPs and EDPs.
  - Create, implement, and monitor mentor programs for all employees.
- Include plans to support training in strategic planning and agency budget process to ensure:
  - Resources to fill in for officers sent to training, so positions do not remain vacant while officers are away.
  - Managers have access to required trainings, as well as trainings that improve their skill set and ability to manage, in order to improve accountability. Stakeholders spoke extensively about the challenges supervising officers have in accessing training, managing performance and conduct, and creating an inclusive work environment. See below a list of recommended training areas:
    - ◇ Developing effective communication and interpersonal skills.
    - ◇ Managing conflict, conduct, and performance.
    - ◇ Engaging and serving members of the community with disabilities.
    - ◇ Supporting and accommodating qualified individuals with disabilities that have been selected to serve as a Federal LEO.
    - ◇ Providing anti-bias training for law enforcement officers on implicit bias and avoiding improper profiling based on the actual or perceived race, ethnicity,

national origin, limited English proficiency, religion, sex (including sexual orientation and gender identity), or disability of individuals.

### **Stakeholder Recommendations for Objective 4: Performance Evaluations and Employee Conduct**

- Employees should consistently complete required training at regular intervals as well as trainings that support:
  - Expanding professional development opportunities.
  - Engaging and serving individuals with disabilities.
  - De-escalating crises, including mental health crises.
  - Interacting with populations such as LGBTQI+ individuals, persons experiencing homelessness, and people from historically marginalized communities.
  - Participating in anti-bias training for law enforcement officers on implicit bias and avoiding improper profiling based on the actual or perceived race, ethnicity, national origin, limited English proficiency, religion, sex (including sexual orientation and gender identity), or disability of individuals.
- Train supervisors on equitable, inclusive, and responsive communication skills to facilitate positive relationships with staff and strengthen trust within the Federal LEO community and communities Federal LEOs serve who may not traditionally feel comfortable expressing their needs to individuals who do not share the same identity or experience.
- Train supervising officers in the field about culturally competent community engagement. Supervising officers can then train their teams.
- Update evaluation process and implement a practice of documenting how officers are improving in their positions.

### **Stakeholder Recommendations for Objective 5: Personnel Vetting**

- Consistently implement performance management process to handle performance or conduct issues and take appropriate action to avoid performance problems or conduct issues before they occur.
- Use continuous vetting measures to become aware of new or emerging issues that impact a department's ability to maintain and establish a trusting relationship with the communities the officers serve. Continuous vetting promotes timely detection



of behaviors of concern and potential threats and vulnerabilities, which may include identification of anti-government sentiment in law enforcement including white supremacist views or sympathies.

- Improve the disciplinary review process to ensure supervisors adhere to agency policies and that performance evaluations and promotion decisions for supervisors include an assessment of the supervisor's effectiveness in addressing misconduct.

## **Appendix C: Additional Considerations for Recruiting and Retention**

### **Recruiting and Retention**

In addition to the core policies and best practices outlined in the body of this action plan, this appendix includes additional considerations for FLEAs. It includes recommended evaluation criteria that agencies can use to assess their efforts to recruit and retain Federal LEOs, including the use of compensation flexibilities (Objectives 1 and 2).

### **Evaluation Criteria**

This appendix includes recommended evaluation criteria that agencies can use to assess their efforts to recruit and retain Federal LEOs, including the use of outreach and recruitment efforts and compensation flexibilities (Objectives 1 and 2).

Recruiting strategies are only as good as the results achieved by agencies in recruiting, onboarding, developing, and retaining candidates. Agencies may consider the following steps to evaluate the effectiveness of their recruiting strategies:

- Use of data analytics to assess the impact of social media and outreach to potential applicants in the various locations across the country or local areas where the jobs exist. Data analytics can also be used to assess the quality of talent sources to ensure they are the most fruitful (e.g., colleges with specific law enforcement majors, diversity in campus recruiting, community organizations, and other sources of talent).
- Use of an evaluation survey, i.e., a simple form with multiple questions requesting audience feedback after an actual event to assess whether the intended outcomes were achieved or if messaging is resonating with the target audience.
- Use of customer surveys that meet the Paperwork Reduction Act requirements. Formal or informal surveys can be used at any time to evaluate an approach or recruiting strategy.
- Use of management surveys, such as the Chief Human Capital Officer Manager Satisfaction Survey. Formal or informal survey results can offer insights about the effectiveness of your collaboration with hiring officials on recruiting and hiring matters.

- Conduct a systematic review and analysis of the results of recruiting activities by source:
  - In-person job/virtual job/career fairs
  - Information sessions (in-person vs. virtual)
  - Social media (which ones work best?)
  - Networking and other outreach events
  - Print advertising and media
  - Agency career website
  - Word-of-mouth
- Use of recruiting metrics can provide valuable measures of what works and what can be improved. Examples include:
  - Employee attrition and turnover
  - Interview-to-offer timeline
  - Interview-to-hire timeline
  - Time-to-hire
  - Cost-per-hire
  - Manager satisfaction with applicants
  - Percent of hiring targets met
  - Offer acceptance rates

With respect to compensation flexibilities, it is important for agencies to assess if their use of compensation flexibilities are successfully in recruiting and retaining talent.

The goals of agency pay flexibility assessments may include determining whether:

- The pay flexibility is helping to address the recruiting or retention difficulties of concern by analyzing relevant workforce data to determine whether the staffing situation has improved;
- The pay flexibility is the correct tool to address the problem at hand or whether a different pay or human resources option would be more appropriate by analyzing the cause of staffing difficulties (e.g., recruitment and retention incentives and

special rates may be an appropriate tool to use when the recruitment and retention problems are due to non-competitive Federal pay rates);

- The cost of using the flexibility can be supported in future budget and funding requests based on an analysis of strategic workforce needs and budget priorities; and
- The use of the flexibility continues to meet payment criteria and other legal requirements by comparing approval documents and payment records to agency policies and relevant laws and regulations.

Reported examples of how agencies assess their use of pay flexibilities include:

- Tracking monthly vacancy, recruiting, hiring, retention, turnover rates, and retention incentive usage by organization and occupation and providing this information to leadership and hiring managers for workforce decision-making.
- Reviewing recruitment, relocation, and retention incentive payment approval authorizations annually to determine if payments are still warranted and to assess the effectiveness of the programs in meeting strategic workforce goals and objectives.
- Requiring recruiting, relocation, and retention incentives be reviewed and approved by a human resource official for consistency with law, regulations, and agency policies before payment.
- Periodically reviewing agency recruiting, relocation, and retention incentive policies and plans for consistency with laws, regulations, and policy guidance.

## **Additional Recommended Actions Agencies Can Take for Recruiting and Hiring in Support of the Recruiting of Federal LEOs**

OPM is leading several activities with agencies to implement the Biden-Harris Administration's Federal workforce agenda, as well as additional recommendations that were captured during stakeholder focus sessions that will also help improve recruiting and hiring of Federal LEOs. These recommendations are included here for consideration by FLEAs:

- Eliminate unnecessary degree requirements for Federal LEO positions. OPM is leading the Federal government's skills-based hiring effort. Most Federal jobs do not have a positive education requirement, but agencies still rely on degree requirements as a proxy for skills. Agencies should partner with human resources

experts to develop an appropriate assessment method to evaluate candidates—such as competency-based assessments—based on the actual skills they possess, rather than focusing on where they might have obtained those skills.

- Leverage the use of shared certificates that provide an opportunity for agencies with expertise in hiring for certain occupations, like law enforcement positions, to lead a hiring effort, leverage resources, and share the resulting certificate of highly qualified candidates across agencies. This process can be particularly effective when used with custom high-quality assessments informed by subject matter experts to ensure the identification of the right skills required to be successful in the position. By leveraging the size and scope of the Federal government to maximize applicant placement, this process provides applicants with more employment options and reduces the need for them to apply to multiple job announcements while still receiving consideration for multiple positions, therefore making it easier to find a job that matches their skills and interests. Agencies can combine recruiting resources and make multiple selections from a single hiring action, reducing time to hire and increasing efficiency in the hiring process. When support is needed, agencies can engage the OPM Hiring Experience (HX) Team as a resource to help them coordinate with other agencies and their assigned talent teams in order to facilitate the need for and development of pooled hiring actions as well as shared certificates across agencies.
- Partner with the Department of Labor in the development and use of registered apprenticeship programs.
  - Registered apprenticeship programs provide agencies a way to bring potential Federal LEO candidates on board and provide a combination of classroom and on-the-job training to develop them.
  - Apprentices can be evaluated throughout their program for possible hiring as a Federal LEO upon completion.
- Make strategic use of early career tools such as:
  - Pathways, the Post-Secondary Student and College Graduate hiring authorities to establish entry-level programs like the Reserve Officers' Training Corps (ROTC) to foster interest at the high school level and beyond.
  - Online tools to reach out to minority-serving institutions to inform and recruit students for law enforcement occupations.
  - Student volunteer programs to broaden student exposure to and interest in public-service law enforcement careers.

- Strategic use of multiple assessments or hurdles in the hiring process to effectively evaluate law enforcement applicants. Agencies should use competency-based assessments to evaluate Federal LEO candidates' skills at multiple phases of the hiring process to identify the best qualified candidates.
- Ensure selection panels are diverse and hiring officials complete trainings that promote adherence to merit system principles.
- Work with Department of Defense transition assistance placement centers to recruit potential law enforcement applicants.
- Identify and attend professional and/or diversity conferences that focus on job seekers that meet the specific skill sets and reach underrepresented communities.
- Offer financial literacy training or education during the recruiting and interest phase.
- Use recruiting incentives for new employees with foreign language skills needed in difficult-to-fill positions.
- Consider the broad range of available hiring authorities to bring talent onboard, including, among others:
  - [hiring authorities for veterans](#)
  - [military spouses](#)
  - [individuals with certain disabilities \(e.g., Schedule A\)](#)
  - Interns, recent graduates, [and other student programs](#)
  - [term and temporary appointments](#), and
  - the authority to reinstate former Federal LEOs.
- **Use Applicant Flow Data (AFD) to assess recruiting and selection practices:** AFD includes the demographic information applicants voluntarily provide for Federal job opportunities through the USAJOBS.gov website, combined with data on applicants' progress through the hiring process. Agencies should include a review of AFD for completed and audited hiring actions, de-identified and aggregated at the announcement level, for previous hiring actions with the hiring manager as part of the recruiting strategy and announcement/assessment development phase for each hiring action. A review of prior hiring actions may include AFD for similar positions in the organization (e.g., similar series or grade) if there is insufficient data from the hiring manager's organizational unit.



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