



OFFICE OF  
**INSPECTOR GENERAL**  
U.S. DEPARTMENT OF THE INTERIOR

# **The U.S. Department of the Interior Can Improve Its Oversight of Tasers**



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**INSPECTOR GENERAL**  
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MAR 13 2023

Memorandum

To: Deb Haaland  
Secretary of the Interior

From: Mark Lee Greenblatt  
Inspector General

A handwritten signature in black ink, appearing to read "Mark Lee Greenblatt".

Subject: Final Evaluation Report – *The U.S. Department of the Interior Can Improve Its Oversight of Tasers*  
Report No. 2019–WR–026

This memorandum transmits our evaluation of the U.S. Department of the Interior's (DOI's) oversight of tasers. We make 10 recommendations to help the DOI improve taser policies, oversight of tasers, and training.

We will refer Recommendations 1, 2, and 4 through 10 to the Office of Policy, Management and Budget for implementation tracking and to report to us on their status. In addition, we will notify Congress about our findings, and we will report semiannually, as required by law, on actions the DOI has taken to implement the recommendations and on recommendations that have not been implemented. We will also post a public version of this report on our website.

If you have any questions about this report, please contact me, or your staff may contact Kathleen Sedney, Assistant Inspector General for Audits, Inspections, and Evaluations, at 202–208–5745.

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# Results in Brief

## What We Evaluated

Due to the increased interest in law enforcement's uses of force and associated techniques and practices, we evaluated the U.S. Department of the Interior's (DOI's) oversight of tasers. Specifically, we evaluated DOI and bureau taser policies, supervisory review of incident reports involving tasers, taser recertification training, and taser testing.

## What We Found

We found the DOI can improve its oversight of tasers to reduce the risk of injury to the public and law enforcement officers. Specifically, we found that the DOI has not finalized its taser policy and is still working under an interim policy that was established in 2016. Further, although the interim DOI taser policy requires the bureaus to establish and implement procedures that include DOI taser policy requirements, none of the bureaus has done so.

We also found that the interim DOI taser policy requires officers to report taser deployments to supervisors but is silent on actions supervisors must take when they receive an incident report.<sup>1</sup> In addition, we found that supervisors did not, in fact, perform thorough reviews of incident reports, and some supervisors were not familiar with how to use the DOI's incident reporting system to review these reports.

Furthermore, we found that bureaus provided inconsistent and incomplete taser recertification training. For example, out of 43 training classes, we identified 19 classes that did not include hands-on control tactics and 34 that did not include local and national trends, both of which are required by policy. To prepare officers for using tasers in the field, taser training should also include dynamic, real-life, high-stress scenarios.

Finally, we found that officers did not routinely test tasers before their shifts as required by existing bureau policies. Tasers record when various types of activity occur, such as when they are turned on or deployed. An activity report containing this data can be downloaded from the taser device. DOI and bureau policies, however, do not require supervisors to regularly obtain and review these activity reports. Of the 26 supervisors we interviewed, 21 told us they were unfamiliar with how to review and interpret activity reports. Supervisors cannot ensure that tasers are tested as required without reviewing these taser activity reports. The lack of routine taser testing increases the risk that a taser will not function when needed and may increase the risk of harm to the officer or subject if the situation escalates as a result. The absence of supervisor review exacerbates this risk.

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<sup>1</sup> Taser deployments are categorized in DOI policy as uses of force that must be documented in incident reports. DOI policy does not, however, define what must be included in an incident report. The U.S. Department of Justice-funded Law Enforcement Information Technology Standards Council defines incident reporting as the function of capturing, processing, and storing detailed information on all law enforcement-related events. Incident reports typically contain facts about the incident, including offense and suspect information; the case status; and perpetrator, witness, victim, and complainant information.

## **Why This Matters**

Although DOI taser policy classifies tasers as less-than-lethal weapons, they still carry the risk of causing serious harm or death. Inconsistent and insufficiently detailed policies for taser use can leave officers without a clear understanding of how they are expected to react to situations in the field, and how—or if they are permitted—to use tasers in those situations. Particularly when combined with insufficient agency oversight, these policy issues create heightened risks to the public, law enforcement officers, and the DOI.

## **What We Recommend**

We make 10 recommendations to help the DOI improve taser policies, oversight of taser use, and training.

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# Introduction

## Objective

Our objective was to evaluate the U.S. Department of the Interior’s (DOI’s) oversight of tasers<sup>2</sup> to identify any weaknesses that put the public, DOI law enforcement officers, or the DOI at risk. We evaluated taser oversight and requirements at the five DOI bureaus and offices that include a law enforcement component: the Bureau of Indian Affairs (BIA), the Bureau of Land Management (BLM), the National Park Service (NPS), the U.S. Fish and Wildlife Service (FWS), and the U.S. Park Police (USPP). We reviewed relevant laws, regulations, procedures, and documents but had to limit site visits and interviews because of restrictions associated with the COVID–19 pandemic. We believe that the work performed provides a reasonable basis for our conclusions. Appendix 1 provides further details on our scope and methodology, Appendix 2 provides details about the sites we visited and contacted, and Appendix 3 provides a glossary of terms.

## Background

In cases where deescalation techniques are not effective, law enforcement officers are sometimes permitted to use force (e.g., in self-defense or in defense of another individual or group). When use of force is permitted, but deadly force is not appropriate, law enforcement officers may use less-than-lethal weapons, such as tasers. Tasers are weapons designed to discharge electrical charges into a subject that will cause involuntary muscle contractions and override the subject’s voluntary motor responses.<sup>3</sup> During our review we found officers generally used tasers similar to those shown in Figure 1.

**Figure 1: Examples of Tasers Used by Officers**



Source: Manufacturer’s website.

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<sup>2</sup> We use the term “taser” to refer to electronic control devices in our report. Policy and other documents also use the broader terms “electronic control device,” “electronic control weapon,” and “controlled electric device.”

<sup>3</sup> These electrical charges are delivered through one of two methods. The first method is a probe deployment using a loaded probe cartridge. When the user engages the trigger on the taser, it releases the probes from the cartridge to contact the subject to achieve neuromuscular incapacitation. The second method is a drive stun, which can be performed when the probe cartridge has been either expended or removed. This action requires engaging the trigger and placing the taser in direct contact with the subject. Drive stuns are used as a non-incapacitating pain compliance technique but may be used to incapacitate if at least one probe is attached to the subject.

The DOI’s law enforcement offices have been purchasing tasers since at least 2000. In fiscal year 2018, more than 1,500 officers across the DOI were assigned a taser, and the bureaus reported an inventory of 4,388 tasers (see Figure 2). The officers with tasers are spread across the United States and cover areas ranging from high-volume tourist sites to largely uninhabited and remote rural lands.

**Figure 2: Fiscal Year 2018 Bureau and Office Tasers**

<b>Bureau or Office</b>	<b>No. of Officers With Tasers</b>	<b>No. of Tasers</b>
BIA	228	510
BLM	110	246
NPS*	798	3,089
FWS	220	331
USPP†	167	212
<b>Totals</b>	<b>1,523</b>	<b>4,388</b>

\* This number does not include all seasonal officers.

† The USPP is a unit of the NPS. These officers are located in the metropolitan areas of Washington, DC; New York, NY; and San Francisco, CA.

Source: Data provided by the DOI.

In 2005, the U.S. Department of Justice’s Office of Community Oriented Policing Services (COPS)<sup>4</sup> and the Police Executive Research Forum (PERF)<sup>5</sup> issued a set of policy guidelines regarding the use of tasers. These guidelines have been used by thousands of police departments since then; in March 2011, COPS and PERF jointly updated the guidelines and issued them in the *2011 Electronic Control Weapon Guidelines*. These guidelines were the result of a national survey examining the use of tasers and the policies, practices, and training that were used in the field, as well as a workshop involving police, doctors, attorneys, researchers, and other experts. The COPS Director stated the guidelines represented the “public’s best interest in regards to safety.” The guidelines were also cited in a 2016 ruling of the U.S. Court of Appeals for the Fourth Circuit regarding use of excessive force with a taser by officers. The court used the guidelines in its analysis of how the taser use contravened industry and manufacturer recommendations.<sup>6</sup> As these guidelines are widely used by law enforcement agencies, we relied on them when reviewing DOI and bureau taser policies.

<sup>4</sup> COPS is the component of the U.S. Department of Justice responsible for advancing the practice of community policing by the nation’s State, local, territorial, and Tribal law enforcement agencies through information and grant resources.

<sup>5</sup> PERF is a private, nonprofit research organization that provides management services, technical assistance, and executive-level education to support law enforcement.

<sup>6</sup> *Armstrong v. Pinehurst*, 810 F.3d 892, at 21 (4th Cir. 2016).

## Relevant DOI Policies

### *Electronic Control Weapons Policy (Taser Policy)*

In 2009, the DOI established a taser policy in its *Departmental Manual (DM)* that was applicable to all bureau law enforcement officers and identified minimum requirements for use parameters, post-deployment procedures, certification and training, and weapons inspection.<sup>7</sup> The taser policy was superseded by interim policies<sup>8</sup> in 2010 and 2016. The 2016 interim taser policy also requires that “all non-training [taser deployments] will be documented and reported to supervisors,” but it does not provide any instruction on how this should occur. In addition, bureaus must establish written procedures that include all requirements in the 2016 interim DOI taser policy.

### *Relationship Between the Tasers and Use of Force Policies*

The 2016 interim taser policy requires that “all training must be consistent with DOI’s use of force policy.”<sup>9</sup> The use of force policy referenced was issued in 2009 and identifies when and what kind of force (including type of weapon) is acceptable under various circumstances; it was specific to deadly force, focused on firearms, and did not mention less-than-lethal weapons such as tasers.

In 2021, the use of force policy was updated (446 *DM* 20) to state that “at a minimum, Bureaus/Offices must report . . . a ‘use of force incident’ when a less-lethal device is used against a person (except when the device is only displayed).”<sup>10</sup> These requirements included directing the DOI’s bureaus and offices to develop appropriate policies on taser use, training, and certification. Specifically, the use of force policy prohibits law enforcement officers from carrying tasers until they meet certification requirements and requires consistent DOI-wide reporting and tracking of use of force incidents, including when a taser is used on a person.<sup>11</sup>

### *Training Standards (Training Policy)*

The 2016 interim training policy (446 *DM* 15) sets training standards for all DOI law enforcement officers. The policy states, “bureaus/offices must maintain law enforcement training records for each DOI [officer]. Records should preferably be maintained in a central location for ease of access.”<sup>12</sup> These records must list the title of the training completed, date of the training,

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<sup>7</sup> 446 *DM* 22.

<sup>8</sup> Interim policies are policies that have been approved and issued by the Director of the Office of Law Enforcement and Security pursuant to 212 *DM* 17 but have not yet been submitted to the [Office of the Executive Secretariat and Regulatory Affairs](https://www.doi.gov/execsec) (<https://www.doi.gov/execsec>) for “surnaming” and final approval. Interim policies have been issued by the DOI’s Office of Law Enforcement and Security since at least 2009 and are currently posted and maintained on its online Law Enforcement Portal.

<sup>9</sup> 446 *DM* 22.10(e).

<sup>10</sup> We reviewed the DOI’s oversight of tasers for the period of October 1, 2014, to September 30, 2018. While the 2021 policy was outside the scope period of our review, we discuss it as appropriate in this report because it was updated to specifically address taser use and training.

<sup>11</sup> 446 *DM* 20.11(B)(1).

<sup>12</sup> 446 *DM* 15.14.

hours completed, and any certifications awarded. The policy does not, however, specify a particular location or format in which these materials should be maintained.

### **Law Enforcement Information Systems**

The DOI's Office of Law Enforcement and Security (OLES) administers the Incident Management Analysis and Reporting System (IMARS), which is an enterprisewide system of records, designed to share law enforcement reporting information among DOI law enforcement programs. The NPS, the BLM, the BIA, and the USPP use IMARS to document incident reports. These reports contain fields for the officer to complete, such as date, time, location, reporting officer, and a space for a written narrative. Although not required by NPS policy, some NPS offices also use it to store training documents. Instead of IMARS, the FWS uses and administers the Law Enforcement Management Information System for documenting incidents, training, and individual weapon assignment records.

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# Results of Evaluation

We found the DOI can improve its oversight of tasers to reduce the risk of injury to the public and law enforcement officers. We identified the following concerns:

- 1) Taser policies are not finalized or updated.
- 2) Policy does not address supervisory review of incident reports, and—in practice—supervisors did not perform thorough reviews of incident reports.
- 3) Bureaus provided inconsistent and incomplete taser recertification training.
- 4) Officers did not routinely test tasers.

We attributed these issues primarily to a lack of clear, comprehensive policies. The DOI and its bureaus can use the information in this report to review the areas of heightened risk and update policies to improve oversight of taser use.

## Taser Policies Not Finalized or Updated

The DOI does not have a final taser policy in the *Departmental Manual* or available in the Electronic Library of Interior Policies. The DOI's most recently issued taser policy is an interim policy that became effective in January 2016.

The DOI interim taser policy requires the bureaus to “establish written standard operating procedures which must include all of the minimum requirements.” Each bureau has its own taser policy, but none of the bureaus have updated their policies to comply with the DOI's 2016 interim policy. As a result, bureaus continue to operate under policies that are not consistent with minimum standards established in the DOI's interim taser policy. For example, the DOI's interim taser policy prohibits officers from being tased as part of any training curriculum.<sup>13</sup> However, we found that one bureau was allowing officers to be tased as part of its initial certification training. The bureau policy did not include a prohibition against tasing officers as part of training, and officials stated that they were unaware of the DOI's prohibition of this practice. Bureau officials stated the bureau would adhere to DOI policy and cease taser applications.

We also acknowledge an internal agency disagreement regarding the OLES' authority to issue interim policies. In particular, the NPS has not made an attempt to update its taser policy. In response to a similar issue highlighted in our September 2022 inspection report, *The U.S. Department of the Interior and Its Bureaus Have Not Finalized and Implemented Their Body Camera Policies*, the NPS asserted that “the foundational structure of the Departmental Manual does not provide for any Departmental office to create interim [DMs], the Office of the Executive Secretariat has confirmed this.” The OLES, however, stated that, pursuant to 212 DM 17 and a 2009 memorandum from the Deputy Assistant Secretary for Law Enforcement,

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<sup>13</sup> 446 DM 22.10(d).

Security, and Emergency Management to the DOI bureau directors, it has authority to issue interim law enforcement policies and that all interim policies would become effective immediately.<sup>14</sup>

The status of each bureau’s taser policy is shown in Figure 3, and the requirements missing from those policies are shown in Figure 4.

**Figure 3: Bureau Taser Policy Updates, Compliance With Departmental Requirements, and Status**

<b>Bureau</b>	<b>Last Updated</b>	<b>Compliant</b>	<b>Status of Taser Policy</b>
BIA	2022	<b>No</b>	We received an updated taser policy in May 2022. We reviewed the updated policy and the BIA’s <i>Law Enforcement Handbook</i> and determined that some requirements from the DOI taser policy are not included.
BLM	2011	<b>No</b>	BLM officials stated that they have been working to update the taser policy since at least 2019.
FWS	2010	<b>No</b>	FWS officials stated that they are working on an update to the taser policy but were delayed due to staffing shortages.
NPS	2015	<b>No</b>	NPS officials stated that they are not updating the taser policy.
USPP	2009	<b>No</b>	USPP officials stated that they are working on an update to the taser policy but were delayed due to staffing shortages.

<sup>14</sup> On August 25, 2009, the Deputy Assistant Secretary for Law Enforcement, Security, and Emergency Management issued a memorandum stating that the Secretary approved the issuance of interim law enforcement policies, which would become effective immediately and be issued to the bureaus. In addition, the memorandum stated that the interim policies would simultaneously be sent through the official process to become final. Based on our review of the 2009 memorandum, we identified four interim policies that took effect in 2009; the tasers policy was not one of them. However, since the 2009 memorandum, the OLES subsequently issued interim policies, which included the tasers interim policy that became effective on January 21, 2016.

**Figure 4: DOI Interim Policy Requirements That are Missing From Bureau Policies**

<b>DOI 2016 Policy Requirement</b>	<b>Status of Bureau Policies</b>
446 <i>DM</i> 22.7(b)(2) states that bureaus “must initiate [a] use of force investigation” when “a subject experiences prolonged [taser] application (longer than 15 cumulative seconds).”	The BIA, the BLM, the FWS, the NPS, and the USPP are all missing this requirement in their policies.
446 <i>DM</i> 22.7(b)(5) states that bureaus “must initiate [a] use of force investigation” when “a subject in an at-risk category has been subjected to application (e.g., young children, individuals that are infirm, or pregnant).”	The BIA, the BLM, the FWS, the NPS, and the USPP are all missing this requirement in their policies.
446 <i>DM</i> 22.10(b)(5) requires “reviews of local and national trends in [taser] use” during annual recertification.	The BIA, the BLM, the FWS, the NPS, and the USPP are all missing this requirement in their policies.
446 <i>DM</i> 22.12(b) states that each application of a taser “must be independently justifiable and the risks must be weighed against other force options.”	The BIA and the NPS include this requirement in their policies; the BLM, the FWS, and the USPP are missing this requirement in their policies.
446 <i>DM</i> 22.12(e) states that “fleeing should not be the sole justification for using a [taser] against a subject.”	The BIA includes this requirement in its policy; the BLM, the FWS, the NPS, and the USPP are missing this requirement in their policies.
446 <i>DM</i> 22.12(h) states that “[tasers] will not be used on handcuffed subjects unless doing so is necessary to prevent them from causing serious bodily harm to themselves or others and if lesser attempts of control are ineffective.”	The BIA and the USPP include this requirement in their policies; the BLM, the FWS, and the NPS are missing this information in their policies.
446 <i>DM</i> 22.13(a)(2) states that “subjects that have received a [taser] application must be monitored regularly while in police custody even if they have received medical care. Documentation of the [taser] exposure must accompany the subject when transferred to jail personnel or until the subject is released from police custody.”	The BIA, the BLM, the FWS, the NPS, and the USPP are all missing this requirement in their policies.

Lastly, the OLES confirmed that no DOI policy clearly identifies incident reporting requirements. The DOI taser policy (446 *DM* 22.7) and use of force policy (446 *DM* 20.11) explicitly state that officers must report use of force when a taser has been used. However, these policies do not clearly describe what type of and how much information should be included in incident reports or specify situations that might require additional justification.

In short, although most bureaus are taking action to update policies, it has been more than 6 years since the DOI issued its interim guidance. Without updating taser policies to include the minimum standards established in the DOI's interim taser policy, officers could be following outdated guidance. Given that tasers have the potential to cause serious harm or death, the lack of finalized and implemented taser policies can create uncertainty or potentially lead to incorrect actions by officers, thereby exposing the public, law enforcement officers, and the DOI and its bureaus to unnecessary risk.

### **Recommendations**

We recommend that the DOI:

1. Develop milestones to finalize and implement the DOI-wide taser policy.
2. Ensure bureaus finalize their taser policies within a reasonable timeframe to comply with the DOI policy.
3. Update DOI policies to define the threshold for requiring an incident report, the levels of detail required for those reports, and where those reports should be recorded and maintained.

## **Policy Does Not Address Supervisory Review of Incident Reports, and—In Practice—Supervisors Did Not Perform Thorough Reviews of Incident Reports**

Although the DOI's interim taser policy requires officers to report taser incidents to supervisors,<sup>15</sup> there is no requirement for supervisors to review taser incident reports. In the absence of clear DOI guidance, we looked to the PERF guidelines noted previously, which state that "a supervisor should conduct an initial review of each [taser] activation, and every instance of [taser] use, including unintentional activation, should be documented." We interviewed 28 supervisors, and 13 told us they reviewed reports primarily to check for grammatical errors but did not review the quality and accuracy of the content.

Furthermore, we interviewed supervisors and taser trainers who were assigned to some aspect of oversight, and more than one-third said they were not familiar with or were not technically proficient at using IMARS to review incident reports. An NPS supervisor went on to say that their inability to use IMARS prevented them from conducting reviews of incident reports.

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<sup>15</sup> 446 DM 22.7(a).

We identified reports that were not sufficiently detailed to allow for thorough supervisory review. For example:

- A report stated that officers used a taser on an inmate who was holding an eyepatch and refused an order to open his hands. Taser policy for this bureau prohibits using a taser in a detention or correctional facility without an immediate threat to life or without a request from a detention or corrections supervisor. The incident report did not describe the immediate threat or document whether authorization to use the taser was requested and received.
- Another report described an incident in which an officer used a taser multiple times on a subject who attempted to evade and resist arrest for driving under the influence of alcohol. The report stated that the subject removed his belt, potentially as a weapon, and refused to comply with instructions. The report contained only the officer's conclusion that the officer was "forced to deliver multiple shocks with the taser to gain compliance," but did not contain a clear explanation for why multiple shocks were necessary. DOI taser policy requires that subsequent applications of a taser "be independently justifiable," but there are no details in the report narrative on this point.

We emphasize that we are not making any assessment about the propriety of taser use in these or any other circumstances. Instead, we are emphasizing the absence of information that would allow supervisors to conduct appropriate reviews. The U.S. Government Accountability Office's (GAO's) *Standards for Internal Control in the Federal Government* (the "Green Book") sets the standards for an effective internal control system for Federal agencies. A key principle of internal control is that management should implement control activities through policies. The Green Book describes various aspects of control activities, including:

- Management documents in policies the internal control responsibilities of the organization.<sup>16</sup>
- Those in key roles for the unit may further define policies through day-to-day procedures, depending on the rate of change in the operating environment and complexity of the operational process. Procedures may include the timing of when a control activity occurs and any followup corrective actions to be performed by competent personnel if deficiencies are identified.<sup>17</sup>
- Management communicates to personnel the policies and procedures so that personnel can implement the control activities for their assigned responsibilities.<sup>18</sup>

The DOI's current taser policy does not adhere to these key principles. Without such guidance, the DOI's ability to implement appropriate oversight and appropriate controls is hampered. Moreover, without such guidance, supervisors lack information to enable them to determine

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<sup>16</sup> Principle 12.03.

<sup>17</sup> Principle 12.04.

<sup>18</sup> *Ibid.*

appropriate next steps—if any—when receiving such reports. Accurate and complete reports allow supervisors to monitor, evaluate, and potentially address any identified deficiencies in the incident report narrative in a timely manner. In addition, the GAO released a report in December 2021<sup>19</sup> examining the USPP’s and other Federal agencies’ policies, procedures, and training on the use of less-lethal force during demonstrations; reviewing reported use of force during deployments; and reviewing actions for use of less-lethal force.

### Recommendations

We recommend that the DOI:

4. Update its policy to establish and implement standards for supervisory review of incident reports, including appropriate steps for supervisors to take pursuant to those reviews.
5. Establish and implement training on how to use required incident report systems and require all supervisors to attend.

## Bureaus Provided Inconsistent and Incomplete Taser Recertification Training

We found that bureaus provided inconsistent and incomplete taser recertification training. The *2011 Electronic Control Weapon Guidelines* stress the importance of training officers who carry tasers because each situation in which a taser may be used is unique. Additionally, officers rely on a combination of prior experience, training, and good judgment to determine whether using a taser constitutes an appropriate level of force. Without thorough and effective training programs that adhere to training policies, the DOI and its bureaus cannot demonstrate that officers are adequately trained, which puts the public, law enforcement officers, and the DOI at risk.

We found that training curriculum documents did not consistently demonstrate whether recertification training met the DOI’s interim taser policy requirements. Additionally, three BIA officers told us they did not perform deployments as part of their training, with two taking online training to meet recertification requirements. A BLM officer told us that—due to fears of injury to officers—the area he supervises does hands-on training once every 3 years, rather than every year as required by DOI taser policy. An NPS officer told us training in his park did not include scenario-based training. We also found that the quality of the training varied and training provided minimal guidance regarding the appropriate situations in which to deploy a taser.

<sup>19</sup> In the GAO’s report titled, “[Law Enforcement: Federal Agencies Should Improve Reporting and Review of Less-Lethal Force](https://www.gao.gov/products/gao-22-104470)” (available at <https://www.gao.gov/products/gao-22-104470>), the GAO found that the USPP reported some uses of force that did not include full details on the circumstances surrounding the use of force, such as the events leading to the incident, the specific type of less-lethal force used, and the officer’s intended goal. The GAO recommended the USPP develop specific reporting requirements on the types of information that must be reported for each use of force.

OLEs officials stated that new officers typically receive their initial taser certification at the Federal Law Enforcement Training Center (FLETC)<sup>20</sup> locations in Glynco, GA, or Artesia, NM. A USPP official stated that they do not provide any taser training at FLETC. After the initial certification, bureau trainers in the field provide officers with the required annual taser recertification training. The OLES commented that it does not have a role in training, and it does not review the bureau-level training policy unless it is notified of a problem.

Without consistent and complete training that includes the requirements specified in the DOI's interim taser policy, the DOI cannot ensure that officers are adequately equipped with the fundamentals of proper taser use and prepared for dealing with subjective situations. In addition, training on local and national trends and when to deploy tasers is essential for the safety and protection of the public, law enforcement, and the DOI. Without adequate training, officers may not be prepared in a use of force encounter and may apply an inappropriate amount of force in their response.

### **Taser Recertification Does Not Cover All Policy Requirements**

The DOI's interim taser policy states that "recertification will occur at least annually"<sup>21</sup> and that bureaus "may use the [manufacturer's] basic training curricula if the training is supplemented by [bureau] training that includes use of force policy."<sup>22</sup> The taser manufacturer provides basic curricula for annual recertification. All five of the DOI's law enforcement components use manufacturer-provided training materials. According to the manufacturer's annual user update, the taser recertification curricula includes:

- Reviewing the manufacturer's current taser training presentation.
- Receiving and reviewing current versions of the taser product warnings and "Smart Use" guidelines.
- Passing a functional test.
- Deploying a minimum of two live cartridges.

The DOI's interim taser policy also requires taser recertification training to include discussions of local and national trends, hands-on control tactics, and scenario-based training.<sup>23</sup> While DOI and bureau policies do not define local or national trends, these requirements could include reviewing recent court decisions that may significantly affect how officers implement or comply with policies and topics or recent information from reputable research groups or other sources.

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<sup>20</sup> FLETC is a consortium of Federal law enforcement organizations that is responsible for providing training to law enforcement professionals throughout their career to help them fulfill their responsibilities safely and proficiently. According to FLETC, it is the largest provider of law enforcement training in the United States. Under a collaborative training model, FLETC's Federal partner organizations deliver training unique to their missions, while FLETC provides training in areas common to all law enforcement officers, such as use of force, control tactics, and electronic control devices.

<sup>21</sup> 446 DM 22.10(b).

<sup>22</sup> 446 DM 22.10 (a)(2).

<sup>23</sup> 446 DM 22.10(b) and 446 DM 22.10(g).

Additionally, 446 *DM* 22.10(g) states that officers “will be trained in hands-on control tactics during [taser] application, including handcuffing the subject.” The policy does not define scenario-based training, but FLETC’s 2011 *Stress and Decision Making* study states that “scenario training should be designed to expose officers to novel situations (circumstances) that include an offender, and enhance the decision-making process in a rapidly evolving environment.”

We reviewed training documents from each of the bureaus across 43 classes held between October 1, 2014, and September 30, 2018, and found that:

- Thirty-four did not include local and national trends.
- Nineteen did not include hands-on control tactics.
- Eleven did not include scenario-based training.

In addition to the information we identified in these documents, 11 out of 70 officers told us that most training did not include a discussion of local and national taser trends, including court rulings. For years, the Federal courts have issued decisions that may affect how and when officers should use tasers. However, these rulings vary across each jurisdiction, which can complicate how bureaus effectively incorporate this required topic in training.<sup>24</sup> Use of force and legal training managers at the FLETC main campus told us that the court rulings are a significant area of concern and are relevant to Federal law enforcement. Without ensuring that officers receive training that includes the requirements specified in the DOI’s interim taser policy and discussion of local and national trends for taser use, the DOI cannot ensure that officers are adequately equipped to properly handle situations in which a taser may be used.

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<sup>24</sup> For example, in a 2008 decision, *Brown v. City of Golden Valley*, 574 F.3d 491 (8th Cir. 2009), one court ruled that tasing a nonviolent motorist—whose only noncompliance with the officer’s commands was to disobey two orders to end her phone call to a 911 operator—constituted excessive force. However, in a 2009 case, *Crowell v. Kirkpatrick*, 400 F. App’x 592 (2d Cir. 2010), another court ruled that it was objectively reasonable to use a taser against nonthreatening subjects who chained themselves to a several-hundred-pound drum.

## Taser Recertification Training Quality Varied in the Field

We also found that training delivery varied across bureaus and even across regions. For example, officers at some sites told us they only followed the taser manufacturer requirement to deploy two taser cartridges at a static target (see Figure 5) to meet recertification requirements. Officers at other locations told us that they implemented a more robust, high-stress, scenario-based simulation intended to mimic conditions officers may face in the field.

An FWS officer told us that the deployment portion of taser recertification training was different between two regions where the officer had worked: Region 6 included scenarios ranging from low- to high-stress scenarios, but the officer recalled that Region 4 included only annual deployments at a static target. An NPS officer, who served in various locations around the country, told us that training at Grand Tetons National Park included scenario-based training with physical force and handcuffing, but recalled that at Everglades National Park, large portions of training were delivered over VHS tape. A BLM taser instructor and an NPS use of force instructor explained that their taser trainings only covered what they described as “black and white” situations and not the “gray” areas found in the field. In addition, the chief of the FWS’ law enforcement training office told us that deploying a taser against a cardboard cutout is not an adequate preparation for a realistic scenario.

We also noted substantial variation in recertification training content and delivery between the different bureaus and between different instructors. However, according to a BIA FLETC representative, there is no requirement for FLETC to review or approve recertification training, and, according to NPS FLETC representatives, it is generally left up to bureau field trainers to incorporate the required training topics. According to BIA and NPS FLETC representatives, field-level taser instructors do not typically solicit assistance from them in developing taser recertification training. Conversely, BLM and FWS FLETC representatives stated that they will consult and provide comments on instructor’s taser recertification lesson plans, but the quality of the training depends upon the instructor. A USPP taser trainer expressed the opinion that training is adequate, but this individual does not oversee instructors to ensure the required recertification topics are covered. The OLES expressed concern that this inconsistent approach across the bureaus may result in omission of training requirements stated in policy.

While the DOI’s interim taser policy has requirements to include scenario-based training and hands-on control tactics,<sup>25</sup> it does not explicitly establish minimum requirements for each recertification topic or address how to handle situations involving high-risk individuals, such as

**Figure 5: Target Used for Static Taser Training Deployments**



<sup>25</sup> 446 DM 22.10 (e) and 446 DM 22.10(g), respectively.

those under the influence of drugs or alcohol or in a state of excited delirium.<sup>26</sup> In addition, the *2011 Electronic Control Weapon Guidelines* stress that officers should receive comprehensive training on when and how to use tasers, remain aware of pertinent court cases in their own jurisdictions and across the country, and be trained on handling high-risk populations or those who are at a heightened risk for serious injury or death.

Because the DOI's interim taser policy does not establish minimum requirements for each recertification topic, training delivery varied and did not consistently include sufficient coverage and detail on the circumstances in which to use tasers, leaving the potential for officers to be unprepared in a use of force encounter.

## Recommendations

We recommend that the DOI:

6. Update the DOI's interim taser policy to require that taser recertification curricula feature deployment scenarios that include realistic, high-risk, and judgment-based situations and cover court rulings that may impact the use of tasers.
7. Identify a process for defining minimum recertification requirements that considers input from key internal stakeholders and includes a timeframe for implementation.
8. Establish and implement a process to periodically review bureau taser recertification training curricula to ensure compliance with DOI policy requirements.

## Officers Did Not Routinely Test Tasers

We found that routine tests of tasers to ensure operating condition were not performed as frequently as required by bureau policy. Routine tests ("arc" or "spark" tests<sup>27</sup>) ensure tasers are in operating condition. The taser manufacturer software allows access to taser activity data, which documents and timestamps all device activity, such as when a user turns the device on or pulls the trigger. These data can be downloaded as a taser activity report. Review of the taser activity report allows an individual to determine if a spark test occurred.

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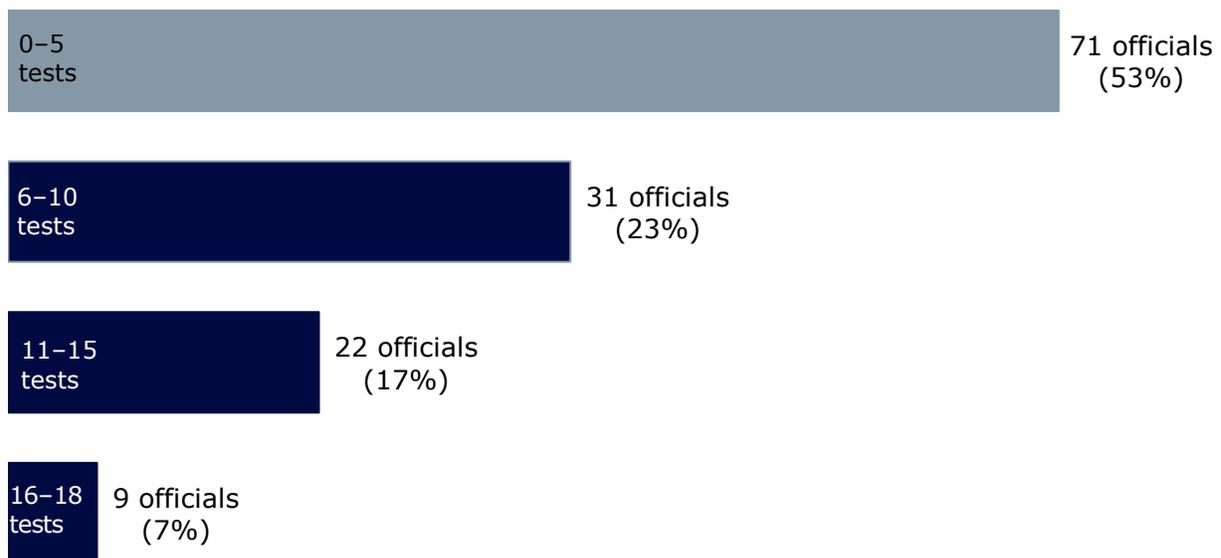
<sup>26</sup> The *2011 Electronic Control Weapon Guidelines* defines "excited delirium" as a state of extreme mental and physiological excitement, characterized by behaviors and symptoms such as extreme agitation, elevated body temperature (hyperthermia), watering eyes (epiphora), hostility, exceptional strength, and endurance without fatigue.

<sup>27</sup> To perform a spark test, an officer removes the cartridges (which contain the deployment probes) from the taser, then activates the device to visually confirm sparking across the electrodes (arc).

The DOI’s taser policy does not include a testing requirement, but every bureau’s taser policy<sup>28</sup> states that officers must test their tasers before every shift to ensure operability. The taser manufacturer recommends that taser activity data be downloaded quarterly. Supervisors could use these activity reports to determine if officers are conducting daily spark tests as required by bureau policy.

We found that the officers included in our sample tested their tasers on average fewer than 5 times a month instead of the average 20 that would be expected if they were checking their tasers before every shift, as required by bureau policy (per our sample of 133 officers; see Figure 6). Without verifying that a taser works correctly before every shift, officers have no assurance that it will work when needed.

**Figure 6: Of the 133 DOI Law Enforcement Officers Reviewed, Most Completed Only 5 or Fewer Spark Tests Per Month\***



\* Several officers in our sample possessed multiple tasers during the scope period. For those officers, we combined the averages of all their devices to determine their average testing frequency.

<sup>28</sup> BIA, Office of Justice Services, *Law Enforcement Handbook*, 3<sup>rd</sup> Edition, Section 1-24-05; BLM General Order No. 39, Appendix 1; FWS, 442 *FW* 7.13.B; NPS, *RM-9*, Chapter 32, part 4.8; USPP General Order No. 3605.06, part C.

During our review of 434 taser incident reports, we identified two cases in which the report stated that a taser did not successfully deploy:

- A bureau officer responded to a residential disturbance and found the subject attempting to break into a non-DOI law enforcement vehicle. After instructing the subject to stop and threatening to use a taser, the officer deployed the taser probes into the subject. However, the device would not emit an electrical impulse. The subject was able to strike the officer in the head before another officer arrived and aided in restraining the subject.
- Two officers responded to a call regarding a physical altercation between multiple individuals. Upon arrival, one of the subjects charged at one of the officers, prompting that officer to deploy their taser. When the first officer's taser did not energize, the second officer deployed their taser but it also did not energize. Both officers then physically engaged the subject to restrain and arrest that individual. The struggle resulted in one of the officers requiring medical attention.

While absent in DOI policy, each bureau's taser policy<sup>29</sup> requires officers to download a taser activity report following any use of force incident involving a taser deployment. Despite this requirement, bureaus could not provide relevant documents.<sup>30</sup> Thus, we could not determine whether these officers tested their tasers before beginning their shifts. We note, however, that these are the type of incidents that can be prevented by performing a spark test prior to starting a shift.

Officers told us that they consistently go into the field without confirming that their tasers work properly because (1) they regularly forget to perform spark tests, and (2) the bureaus do not have a policy for supervisors to verify officers are complying with the requirement to perform spark tests. We confirmed that, except for the BLM, regular downloads of taser activity data are not required outside of the downloads included in incident reports. We did not find evidence that any bureaus conducted formal reviews of taser activity reports. Additionally, supervisors are not required to request or review taser activity reports at regular intervals. In our interviews with supervisors and taser instructors, 21 out of 26 (81 percent) told us they were unfamiliar with how to review and interpret the reports.

The lack of routine taser testing and taser activity report review increases risk that a taser will not function when needed and may increase the risk of harm to the officer or the public if a situation escalates as a result.

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<sup>29</sup> BIA, Office of Justice Services, *Law Enforcement Handbook*, 3<sup>rd</sup> Edition, 1–24–11 E.; BLM General Order No. 39, VI. E. 2.; FWS, 442 *FW* 7.12.G; NPS, *RM*–9, Chapter 32, part 4.3; USPP General Order No. 3605.06, part D 6.

<sup>30</sup> After several requests to the applicable field offices, the supervisors confirmed they could not locate the taser activity reports for the law enforcement officers in these examples.

## **Recommendations**

We recommend that the DOI:

9. Update its policy to require that spark tests be performed before an officer's shift and management periodically obtain and review taser activity reports to ensure that spark tests are performed.
10. Implement and require training for supervisors on how to review and analyze taser activity reports.

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# Conclusion and Recommendations

## Conclusion

A May 2022 Executive Order from the President of the United States calls for a commitment to new practices in law enforcement training, oversight, and accountability.<sup>31</sup> Although tasers are classified as less-than-lethal weapons, they still carry the risk of causing serious harm or death; therefore, it is critical for the DOI to have consistent and clear policies to prevent or minimize officers' misuse of tasers and the chances of taser malfunction. We make 10 recommendations to help the DOI improve its oversight of tasers and update policies to minimize areas of heightened risk.

## Recommendations Summary

We provided a draft of this report to the DOI for review. The DOI concurred with nine recommendations and partially concurred with one recommendation. The DOI identified the OLES Director as responsible for recommendation implementation. We consider Recommendations 1, 2, and 4 through 10 resolved but not implemented and Recommendation 3 resolved and implemented. Below we summarize the DOI's response to our recommendations, as well as our comments on its responses. See Appendix 4 for the full text of the DOI's response; Appendix 5 lists the status of each recommendation.

We recommend that the DOI:

1. Develop milestones to finalize and implement the DOI-wide taser policy.

**DOI Response:** The DOI concurred with our recommendation. It stated that the revision of 446 DM 22 is a "priority for OLES and the next policy to be updated from Law Enforcement Policy to final [*Departmental Manual*] beginning in 2023." The target date for implementation is June 1, 2023.

**OIG Reply:** We consider this recommendation resolved but not implemented.

2. Ensure bureaus finalize their taser policies within a reasonable timeframe to comply with the DOI policy.

**DOI Response:** The DOI concurred with our recommendation. It stated that the OLES will work with the bureaus' law enforcement programs and the Office of the Solicitor to ensure that policies are updated. The target date for implementation is December 31, 2023.

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<sup>31</sup> Executive Order No. 14074, 87 Fed. Reg. 32,945 (May 25, 2022), [Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety](https://www.whitehouse.gov/briefing-room/presidential-actions/2022/05/25/executive-order-on-advancing-effective-accountable-policing-and-criminal-justice-practices-to-enhance-public-trust-and-public-safety/), (available at <https://www.whitehouse.gov/briefing-room/presidential-actions/2022/05/25/executive-order-on-advancing-effective-accountable-policing-and-criminal-justice-practices-to-enhance-public-trust-and-public-safety/>).

**OIG Reply:** We consider this recommendation resolved but not implemented.

3. Update DOI policies to define the threshold for requiring an incident report, the levels of detail required for those reports, and where those reports should be recorded and maintained.

**DOI Response:** The DOI concurred with our recommendation. It stated that on October 3, 2022, the OLES updated 446 *DM* 20 to require bureaus to follow the reporting requirements in 446 *DM* 17, “Serious Incident Reporting.” The DOI stated that the policy requires reports to be filed in the DOI-approved record management system. The DOI also stated that 446 *DM* 9, “Case Management Standards,” outlines the information required for the case management file in the record management system. The target date for implementation is June 1, 2023.

**OIG Reply:** We reviewed the updated 446 *DM* 20 along with the requirements in 446 *DM* 17 and 446 *DM* 9 to verify the information and requirements the DOI referenced in its response. We consider this recommendation resolved and implemented.

4. Update its policy to establish and implement standards for supervisory review of incident reports, including appropriate steps for supervisors to take pursuant to those reviews.

**DOI Response:** The DOI partially concurred with our recommendation. It stated that the OLES will update its policy to ensure appropriate supervisory requirements. The DOI also stated, “In promulgating Department level policy, OLES establishes mandatory minimum standards to ensure consistent governance and guidance and allows the [b]ureaus the flexibility to operationalize their policies to meet their unique law enforcement missions.” The DOI added that 446 *DM* 13.5, “Incident Management, Analysis, and Reporting System,” states that the bureaus are responsible for developing standard operating procedures that provide specific guidance to the implementation and operations of the record management system. The target date for implementation is June 1, 2023.

**OIG Reply:** We consider this recommendation resolved but not implemented. Although the DOI responded with partial concurrence, it also stated that it would develop updated policies to ensure appropriate supervisory approval, which resolves the recommendation. We will consider the recommendation implemented when the DOI’s policy is updated and implemented in accordance with the recommendation, including provisions to ensure that the bureaus develop standard operating procedures.

5. Establish and implement training on how to use required incident report systems and require all supervisors to attend.

**DOI Response:** The DOI concurred with our recommendation. It stated that the OLES was appropriated funding in fiscal year 2023 to transition to an enterprise law enforcement record management system. According to the DOI, its implementation will include “initial and ongoing training as a requirement for all law enforcement officers.”

In addition, the DOI stated that, during this transition, the OLES will prioritize an update of 446 *DM* 13, which will establish appropriate training requirements for IMARS. The target date for implementation is June 1, 2023.

**OIG Reply:** We consider this recommendation resolved but not implemented.

6. Update the DOI's interim taser policy to require that taser recertification curricula feature deployment scenarios that include realistic, high-risk, and judgment-based situations and cover court rulings that may impact the use of tasers.

**DOI Response:** The DOI concurred with our recommendation. It stated that the OLES will work with the bureaus' law enforcement programs and the Office of the Solicitor to update the policy. The target date for implementation is June 1, 2023.

**OIG Reply:** We consider this recommendation resolved but not implemented.

7. Identify a process for defining minimum recertification requirements that considers input from key internal stakeholders and includes a timeframe for implementation.

**DOI Response:** The DOI concurred with our recommendation. It stated that the OLES will work with the bureaus' law enforcement programs to obtain input from internal stakeholders, "which will be addressed in the policy update." The target date for implementation is June 1, 2023.

**OIG Reply:** We consider this recommendation resolved but not implemented.

8. Establish and implement a process to periodically review bureau taser recertification training curricula to ensure compliance with DOI policy requirements.

**DOI Response:** The DOI concurred with our recommendation. It stated that the OLES will work with the bureaus' law enforcement programs and the Office of the Solicitor to establish a periodic review process. The target date for implementation is June 1, 2023.

**OIG Reply:** We consider this recommendation resolved but not implemented.

9. Update its policy to require that spark tests be performed before an officer's shift and management periodically obtain and review taser activity reports to ensure that spark tests are performed.

**DOI Response:** The DOI concurred with our recommendation. It stated that the OLES will work with the bureaus' law enforcement programs and will incorporate feedback from internal stakeholders in the policy update. The target date for implementation is June 1, 2023.

**OIG Reply:** We consider this recommendation resolved but not implemented.

10. Implement and require training for supervisors on how to review and analyze taser activity reports.

**DOI Response:** The DOI concurred with our recommendation. It stated that the OLES will work with the bureaus' law enforcement programs and the Office of the Solicitor to ensure that bureau policies are updated to address supervisor roles and responsibilities. The target date for implementation is June 1, 2023.

**OIG Reply:** We consider this recommendation resolved but not implemented.

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# Appendix 1: Scope and Methodology

## Scope

Our objective was to evaluate the U.S. Department of the Interior’s (DOI’s) oversight of tasers to identify any weaknesses that put the public, DOI law enforcement officers, or the DOI at risk. We conducted our fieldwork from September 2019 through June 2021. The scope of our testing was fiscal years 2015 through 2018. We did not include a review of DOI or bureau information system controls. We relied on policy, guidance, and data provided by the DOI and its bureaus.

We conducted our evaluation in accordance with the *Quality Standards for Inspection and Evaluation* as put forth by the Council of the Inspectors General on Integrity and Efficiency. We faced challenges in completing this work due to the COVID–19 pandemic. These challenges included limitations on in-person meetings, difficulty accessing information, and prohibitions on travel. Despite these challenges, we believe that the work performed provides a reasonable basis for our conclusions and recommendations.

## Methodology

To accomplish our objective, we judgmentally selected and visited 55 locations, including 14 National Park Service (NPS), 11 Bureau of Land Management (BLM), 14 U.S. Fish and Wildlife Service (FWS), 8 Bureau of Indian Affairs (BIA), 4 U.S. Park Police (USPP), and 2 Federal Law Enforcement Training Center (FLETC) locations. Additionally, we visited the DOI’s Office of Law Enforcement Services and Office of the Solicitor. See Appendix 2 for sites visited or contacted.

We selected sites using the following criteria:

- DOI and bureau offices and sites with a law enforcement component (the BIA, the BLM, the FWS, the NPS, and the USPP).
- Offices and sites across geographic regions and circuit court jurisdictions, including coverage of rural and urban sites.
- Offices and sites where taser instructors and taser program managers were stationed.
- Number of taser users, tasers in inventory, and taser incidents at the office or site.

In addition, we reviewed the following:

- Applicable laws, court rulings, regulations, policies, and other criteria, including policy guidance found in bureau reference manuals and handbooks.
- Incident reports from the Incident Management Analysis and Reporting System and the Law Enforcement Management Information System.

- Training records and documentation such as training materials, lesson plans, course syllabi, and certification documentation.
- Taser activity reports.

We also interviewed DOI agency and bureau headquarters officials; State, regional, district, and park unit managers; bureau field law enforcement officers; and FLETC training officials.

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## Appendix 2: Sites Visited or Contacted

In addition to the U.S. Department of the Interior sites listed and contacted below, we visited the Federal Law Enforcement Training Centers at Glynco, GA, and Artesia, NM.

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U.S. Department of the Interior	Office of Law Enforcement and Security, Washington, DC Office of the Solicitor, Washington, DC
Bureau of Indian Affairs	Crow Creek Agency, SD Lower Brule Agency, SD Office of Justice Services, Washington, DC Pine Ridge Agency, SD Southern Pueblos Agency, NM Southwest Regional Office, NM Truxton Canon Agency, AZ Western Nevada Agency, NV
Bureau of Land Management	Boise District Office, ID Carson City District Office, NV El Centro Field Office, CA Mother Lode Field Office, CA Office of Law Enforcement and Security, Washington, DC Palm Springs-South Coast Field Office, CA Nevada State Office, NV California State Office, CA Southern Nevada Field Office, CA Twin Falls District Office, ID Winnemucca District Office, NV Yuma Field Office, AZ
National Park Service	Badlands National Park, SD Big Cypress National Preserve, FL Boston National Historic Park, MA Canaveral National Seashore, FL Castillo de San Marcos National Park, FL Cumberland Island National Park, GA Everglades/Dry Tortugas National Park, FL Gateway National Recreation Area, NJ Independence National Historic Park, PA Lake Mead National Recreation Area, NV Mount Rushmore National Monument, SD Washington DC Area Support Office, Washington, DC

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U.S. Fish and Wildlife Service	Arthur Marshall Loxahatchee National Wildlife Refuge, FL Desert National Wildlife Refuge Complex, NV Eastern Massachusetts National Wildlife Refuge Complex, MA Everglades Headwaters National Wildlife Refuge, FL Havasu Complex/Bill Williams National Wildlife Refuge, AZ John Heinz National Wildlife Refuge, PA Madison Wetlands Management District, SD Merritt Island National Wildlife Refuge, FL North Atlantic-Appalachian Regional Office, MA Rhode Island National Wildlife Refuge, RI San Diego Complex/Tijuana Slough, CA Wallkill River National Wildlife Refuge, NJ
U.S. Park Police	Audits and Inspections Unit, Washington, DC* Training Branch, Washington, DC New York Field Office, NY Office of Professional Responsibility, Washington, DC Office of Professional Responsibility – Internal Affairs, Washington, DC

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\* Contacted only

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## Appendix 3: Glossary

**Activity Report:** The taser manufacturer software allows access to taser activity data, which documents and timestamps all device activity, such as when a user turns the device on or pulls the trigger. These data can be downloaded as a taser activity report.

**Deployment:** A probe deployment using a loaded probe cartridge. When the user engages the trigger on the taser, it releases the probes from the cartridge to contact the subject to achieve neuromuscular incapacitation. The U.S. Department of the Interior's (DOI's) use of force policy states that a taser deployment constitutes a use of force that must be documented in an incident report.

**Drive Stun:** This action requires engaging the trigger and placing the taser in direct contact with the subject. It can be performed when the probe cartridge has been either expended or removed. Drive stuns are used as a non-incapacitating pain compliance technique but may be used to incapacitate if at least one probe is attached to the subject. The DOI's use of force policy states that a taser drive stun constitutes a use of force that must be documented in an incident report.

***Electronic Control Weapon Guidelines:*** A 2011 publication jointly issued by the Office of Community Oriented Policing Services (COPS) and the Police Executive Research Forum (PERF). These guidelines were the result of a national survey examining the use of tasers and the policies, practices, and training that were used in the field, as well as a workshop involving police, doctors, attorneys, researchers, and other experts.

**Electronic Library of Interior Policies:** A library of official policies, procedures, programs, and functions of DOI bureaus and offices.

**Excited Delirium:** A state of extreme mental and physiological excitement, characterized by behaviors and symptoms such as extreme agitation, elevated body temperature (hyperthermia), watering eyes (epiphora), hostility, exceptional strength, and endurance without fatigue.

**Federal Law Enforcement Training Center (FLETC):** A consortium of Federal law enforcement organizations that is responsible for providing law enforcement professionals with training throughout their careers to help them fulfill their responsibilities safely and proficiently. According to FLETC, it is the largest provider of law enforcement training in the United States. Under a collaborative training model, FLETC's Federal partner organizations deliver training unique to their missions, while FLETC provides training in areas common to all law enforcement officers, such as use of force, control tactics, and electronic control devices.

***Standards for Internal Control in the Federal Government (the "Green Book"):*** The U.S. Government Accountability Office's Green Book sets the standards for an effective internal control system for Federal agencies.

**Hands-on Control Tactics:** Physical techniques, including handcuffing.

**Incident Management Analysis and Reporting System (IMARS):** The DOI case management system used for law enforcement reporting information.

**Incident Report:** The U.S. Department of Justice-funded Law Enforcement Information Technology Standards Council defines incident reports as the function of capturing, processing, and storing detailed information on all law enforcement-related events. Incident reports typically contain facts about the incident, including offense and suspect information; the case status; and perpetrator, witness, victim, and complainant information.

**Law Enforcement Management Information System:** The case management system the U.S. Fish and Wildlife Service uses.

**Local and National Trends:** While DOI and bureau policies do not define local or national trends, these requirements could include reviewing recent court decisions that may significantly affect how officers implement or comply with policies; these requirements could also include topics or recent information from reputable research groups or other sources.

**Office of Community Oriented Policing Services (COPS):** The U.S. Department of Justice's COPS is responsible for advancing the practice of community policing by the Nation's State, local, territorial, and Tribal law enforcement agencies through information and grant resources.

**Office of Law Enforcement and Security (OLES):** The DOI's focal point to provide program guidance and oversight of the DOI's law enforcement, security, intelligence, counterintelligence/insider threat, and information sharing programs.

**Police Executive Research Forum (PERF):** A police research organization and provider of management services, technical assistance, and executive-level education to support law enforcement and the criminal justice system.

**Scenario-based Training:** FLETC's 2011 *Stress and Decision Making* study states that "scenario training should be designed to expose officers to novel situations (circumstances) that include an offender, and enhance the decision-making process in a rapidly evolving environment."

**Spark/Arc Test:** A routine test of the taser to ensure proper operating condition. To perform a spark test, an officer removes the cartridges (which contain the deployment probes) from the taser, then activates the device to visually confirm sparking across the electrodes (arc).

**Taser:** Tasers are weapons designed to discharge electrical charges into a subject that will cause involuntary muscle contractions and override the subject's voluntary motor responses. A taser is also commonly referred to as an "electronic control device," "electronic control weapon," and "controlled electronic weapon."

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## **Appendix 4: Response to Draft Report**

The U.S. Department of the Interior's response to our draft report follows on page 31.



United States Department of the Interior  
OFFICE OF THE SECRETARY

Office of Law Enforcement and Security  
1849 C Street NW  
Washington DC 20240

January 19, 2023

To: Kathleen Sedney  
Assistant Inspector General  
Audits, Inspections, and Evaluations

From: Robert D. MacLean  
Director  
Office of Law Enforcement and Security

**ROBERT  
MACLEAN**

Digitally signed by ROBERT  
MACLEAN  
Date: 2023.01.19 16:25:58  
-05'00'

Subject: Office of Law Enforcement and Security Response to: Draft Inspection  
Report No. 2019-WR-026

Thank you for allowing the Office of Law Enforcement and Security (OLES) an opportunity to review and comment on the Draft Inspection Report.

Below are the responses to the recommendations in the Draft Inspection Report, including the steps that OLES has taken or will be taking to address them.

**Recommendation #1** – Develop milestones to finalize and implement the DOI-wide taser policy (446 DM 22)

OLES Response: Concur with Recommendation #1. The revision of 446 DM Chapter 22 (Electronic Control Weapon) is a priority for OLES and the next policy to be updated from Law Enforcement Policy to final DM beginning in 2023.

**Recommendation #2** – Ensure bureaus finalize their taser policies within a reasonable timeframe to comply with the DOI policy.

OLES Response: Concur with Recommendation #2. OLES will work with the Bureau's law enforcement programs and Office of the Solicitor (SOL) to ensure that Bureau policies are updated and comply by December 31, 2023.

**Recommendation #3** – Update DOI policies to define the threshold for requiring an incident report, the levels of detail required for those reports, and where those reports should be recorded and maintained.

OLES Response: Concur with Recommendation #3. OLES updated 446 DM 20 (Use of Force) on October 3, 2022. The updated policy clearly states in 20.11 B (1) that when a less lethal device is

used that a report needs to be completed. 20.11 D directs Bureaus to follow the reporting requirements of 446 DM 17 (Serious Incident Reporting) which outlines what is required in a serious incident report and that the report needs to be filed in the DOI approved record management system (RMS). Additionally, 446 DM 9 (Case Management) outlines the information requirements needed for the case management file which is also filed in the RMS.

**Recommendation #4** - Update its policy to establish and implement standards for supervisory review of incident reports, including appropriate steps for supervisors to take pursuant to those reviews.

OLES Response: Partially disagree with Recommendation #4. In promulgating Department level policy, OLES establishes mandatory minimum standards to ensure consistent governance and guidance and allows the Bureaus the flexibility to operationalize their policies to meet their unique law enforcement missions. OLES will update its policy to ensure appropriate supervisory requirements. 446 DM 13.5 states that Bureaus are responsible for developing SOPs that provide specific guidance to the implementation and operations of the RMS.

**Recommendation # 5** - Establish and implement training on how to use required incident report systems and require all supervisors to attend.

OLES Response: Concur with Recommendation #5. OLES was appropriated funding in FY 2023 to transition to an enterprise Law Enforcement Record Management System (LE RMS). Its implementation will include initial and ongoing training as a requirement for all law enforcement officers. During this transition, OLES will prioritize an update of 446 DM 13 (Incident management, Analysis, and Reporting System (IMARS), which will establish the appropriate training requirements.

**Recommendation # 6** - Update the DOI's interim taser policy to require that taser recertification curricula feature deployment scenarios that include realistic, high-risk, and judgment-based situations and cover court rulings that may impact the use of tasers.

OLES Response: Concur with Recommendation #6. OLES will work with the Bureau's law enforcement programs and SOL to update the policy.

**Recommendation # 7** - Identify a process for defining minimum recertification requirements that considers input from key internal stakeholders and includes a timeframe for implementation.

OLES Response: Concur with Recommendation #7. OLES will work with the Bureau's law enforcement programs on getting input from internal stakeholders which will be addressed in the policy update.

**Recommendation # 8** - Establish and implement a process to periodically review bureau taser recertification training curricula to ensure compliance with DOI policy requirements.

OLES Response: Concur with Recommendation #8. OLES will work with the Bureau's law enforcement programs and SOL to establish a periodic review process.

**Recommendation # 9** - Update its policy to require that spark tests be performed before an officer's shift and management periodically obtain and review taser activity reports to ensure that spark tests are performed.

OLES Response: Concur with Recommendation #9. OLES will work with the Bureau's law enforcement programs. Once feedback is received from stakeholders it will be incorporated into the policy.

**Recommendation # 10** - Implement and require training for supervisors on how to review and analyze taser activity reports.

OLES Response: Concur with Recommendation #10. OLES will work with the Bureau's law enforcement programs and SOL to ensure that Bureau policies are updated to address the supervisor's role and responsibilities.

OLES remains actively engaged with the Bureaus, the Office of the Solicitor, and the Office of the Executive Secretariate and Regulatory Affairs to ensure Departmental Manual chapters and Law Enforcement Policies are appropriately promulgated in a manner that adheres to and supports each of the pillars of procedural justice and the latest direction of EO 14074.

Responsible Official: Rob MacLean; Director, Office of Law Enforcement and Security; Office of the Secretary.

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## Appendix 5: Status of Recommendations

<b>Recommendation</b>	<b>Status</b>	<b>Action Required</b>
1, 2, 4-10	Resolved but not implemented	We will refer these recommendations to the Office of Policy, Management and Budget to track implementation.
3	Resolved and implemented	No action is required.

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# REPORT FRAUD, WASTE, ABUSE, AND MISMANAGEMENT

The Office of Inspector General (OIG) provides independent oversight and promotes integrity and accountability in the programs and operations of the U.S. Department of the Interior (DOI). One way we achieve this mission is by working with the people who contact us through our hotline.



If you wish to file a complaint about potential fraud, waste, abuse, or mismanagement in the DOI, please visit the OIG's online hotline at [www.doioig.gov/hotline](http://www.doioig.gov/hotline) or call the OIG hotline's toll-free number: **1-800-424-5081**

## Who Can Report?

Anyone with knowledge of potential fraud, waste, abuse, misconduct, or mismanagement involving the DOI should contact the OIG hotline. This includes knowledge of potential misuse involving DOI grants and contracts.

## How Does it Help?

Every day, DOI employees and non-employees alike contact the OIG, and the information they share can lead to reviews and investigations that result in accountability and positive change for the DOI, its employees, and the public.

## Who Is Protected?

Anyone may request confidentiality. The Privacy Act, the Inspector General Act, and other applicable laws protect complainants. Section 7(b) of the Inspector General Act of 1978 states that the Inspector General shall not disclose the identity of a DOI employee who reports an allegation or provides information without the employee's consent, unless the Inspector General determines that disclosure is unavoidable during the course of the investigation. By law, Federal employees may not take or threaten to take a personnel action because of whistleblowing or the exercise of a lawful appeal, complaint, or grievance right. Non-DOI employees who report allegations may also specifically request confidentiality.