

Department of the Interior Departmental Manual

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Series: Law Enforcement and Security

Part 446: Law Enforcement

Chapter 20: Use of Force

Originating Office: Office of Managing Risk and Public Safety

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20.1 **Purpose.** This chapter states the Department of the Interior=s policy on the Use of Force.

20.2 Use of Force Policy.

A. The primary consideration in the use of force for Interior law enforcement officers is the timely and effective application of the appropriate level of force required to establish and maintain lawful control.

B. The respective Bureau law enforcement administrators shall set forth guidelines for weaponless control techniques, intermediate weapons, in accordance with that bureau=s law enforcement mission.

20.3 Definitions.

A. For the purposes of this chapter, Interior Law Enforcement Officer includes any Interior employee who has authority to make arrests and carry, or use, firearms and/or other weapons.

B. Weaponless Control Techniques includes officer presence, identification, verbal commands and physical control techniques, such as comealongs, touch pressure points, and empty hand strikes.

C. Intermediate Weapons are weapons other than firearms or lethal weapons with non-lethal munitions that are approved by each Interior bureau.

D. Deadly Force is the use of any force that is likely to cause death or serious physical injury. Deadly force does not include force that is not likely to cause death or serious physical injury but unexpectedly results in such death or injury.

20.4 **Use of Deadly Force.** Interior Law Enforcement Officers may use deadly force only when necessary, that is, when the officer has an objectively reasonable belief, in light of the facts and circumstances confronting the officer, that the subject of such force poses an imminent danger of death or serious physical injury to the officer or to another person.

20.5 **Use of Non-Deadly Force.** If force other than deadly force reasonably appears to be sufficient to accomplish an arrest or otherwise accomplish the law enforcement purpose, that is the preferred level of force. In no instance shall deadly force be utilized unless such use is objectively reasonable under the circumstances.

20.6 **Fleeing Felons.** Deadly force may be used to prevent the escape of a fleeing subject if there is probable cause to believe:

A. The subject has committed a felony involving the infliction or threatened infliction of serious physical injury or death; and

B. The escape of the subject would pose an imminent danger of death or serious physical injury to the officer or to another person.

20.7 **Verbal Warnings.** If feasible and if to do so would not increase the danger to the officer or others, a verbal warning to submit to the authority of the officer shall be given prior to the use of deadly force.

20.8 **Warning Shot.** Warning shots are not permitted.

20.9 **Vehicles.**

A. Weapons may not be fired solely to disable moving vehicles. Experience has demonstrated that the use of firearms to disable moving vehicles is either unsuccessful or results in an uncontrolled risk to the safety of officers or others.

B. Weapons may be fired at the driver or other occupant of a moving motor vehicle only when:

(1) The officer has a reasonable belief that the subject poses an imminent danger of death or serious physical injury to the officer or to another person; and

(2) The public safety benefits of using such force outweigh the risks to the safety of the officer or other persons.

20.10 **Vicious Animals.** Deadly force may be directed against dogs or other vicious animals when necessary in self-defense or the defense of others.

20.11 **Training and Proficiency Standards.** Each Bureau or Office Law Enforcement Administrator shall:

A. Require newly-appointed Interior law enforcement officers to satisfactorily complete the Basic Criminal Investigator Training , Basic Police Training or the Land Management Training as administered by the Federal Law Enforcement Training Center, approved seasonal law enforcement training programs, or other courses approved and authorized by the Director, Office of Managing Risk and Public Safety, prior to carriage and/or use of a firearm;

B. Be responsible for establishing training and re-training standards which ensure that Interior Law Enforcement Officers are proficient in the use of weaponless control techniques and intermediate weapons as authorized by that bureau or office; and

C. Consistent with its mission, establish qualification and firearms familiarization standards and, at least on a semiannual basis, require Interior Law Enforcement Officers to establish and maintain their proficiency in the use of authorized firearms.

20.12 **Law Enforcement Administrators= Responsibility.** Interior Law Enforcement Administrators may supplement this chapter with policy statements or guidance consistent with this policy. It is the responsibility of the Interior Law Enforcement Administrators or their designees to review such policy statements or guidance in a timely and comprehensive manner.

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