

**Forest Service Manual
National Headquarters - Washington Office
Washington, DC**

**Forest Service Manual 5300 – Law Enforcement
Chapter 5310 – Planning**

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Approved by: Abigail Kimbell, Chief

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Responsible Staff:

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Superseded Document(s): 5310 Contents, Amendment 5300-96-7, December 20, 1996; 5310, Amendment 5300-96-8, December 20, 1996

Posting Instructions: Amendments are numbered consecutively by title and calendar year. Post by document; remove the entire document and replace it with this amendment. Retain this transmittal as the first page(s) of this document. The last amendment to this title was 5300-2008-2 to FSM 5380.

Digest: Following is an explanation of the changes throughout the directive by section.

5310: Throughout the chapter, makes minor technical and editorial changes, adds grasslands as an organizational unit, adds the title of grassland supervisor, and adds and revises law enforcement position titles.

5310.2: Removes obsolete objective on cooperation with State and Federal agencies.

5310.3: Modifies and adds new direction to policies.

5310.42: Delegates authority to approve regional law enforcement plans to the Washington Office, Director of Law Enforcement and Investigations.

5310.43: Modifies direction for clarity and removes obsolete direction on funding.

5310.44: Revises position titles. Adds requirement for communication with regional foresters and forest and grassland supervisors on staffing needs and drawdown levels. Adds direction to fund regular cooperative law enforcement agreements and to develop the regional budget plan.

5310.45: Changes caption from “Forest Supervisors” to “Forest and Grassland Supervisors.” Removes obsolete direction on funding.

5310.46: Changes caption from “Resident Forest Special Agents and Supervisory Law Enforcement Officers” to “Supervisory Law Enforcement Officers (Patrol Commanders or Patrol Captains).” Modifies direction for clarity.

5310.5: Modifies definition of the term, “Unit” to revise position titles.

5311: Revises direction from FSM 5311.1 through 5311.5 to FSM 5311.1 through 5311.2 and FSH 5309.11, chapter 10

5311.1: Establishes new direction and caption “Regional Law Enforcement Plan” and recodes existing text and caption “Introduction” to 5311.11.

5311.11: Establishes new code and recodes to this section direction and caption previously set out in 5311.1.

5311.12: Establishes new code and recodes to this section direction and caption previously set out in 5311.2

5311.12a: Establishes new code, caption, and direction for “People, Property, and Natural Resources.”

5311.12b: Establishes new code, caption, and direction for “Other Related Crimes/Activities.”

5311.13 through 5311.19: Establishes new codes and recodes to these sections direction and captions previously set in 5311.3 through 5311.4. In 5311.15, adds the requirement in regional plans to identify the need for cooperative agreements to support cooperative law enforcement activities.

5311.2: Replaces existing direction and caption “Problem Identification” with new caption and direction for “Forest and Grassland Law Enforcement Plans.” Recodes caption and direction for “Problem Identification” to 5311.12.

5311.3: Replaces existing direction and caption “Action Plan” with new caption and direction for “Requirements of Special Law Enforcement Plans and/or Required Analysis.” Recodes caption and direction for “Action Plan” to 5311.13.

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5312: Revises direction for the review and submission of regional and forest/grassland law enforcement plans, including requirements for concurrence by affected National Forest System line officers. Delegates plan approval authority to the Washington Office, Director of Law Enforcement and Investigations for regional plans and to special agents in charge for forest and grassland plans.

5313: Establishes new code, caption, and direction for “Funding of Law Enforcement Positions and Activities.”

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5310.1 - Authority

See FSM 5301.

5310.2 - Objectives

1. Identify problems, trends, and workload on each National Forest System (NFS) unit.
2. Determine staffing, organizational, and budgetary needs.
3. Maintain an effective and responsive law enforcement program.
4. Establish uniformity and coordination between NFS units.
5. Develop and incorporate strategies for prevention of criminal violations.

5310.3 - Policy

Protect and enhance the National natural resources and environment by developing and maintaining regional and forest and grassland law enforcement plans which comply with the requirements set forth in this chapter.

All unit plans must meet the applicable investigative standards contained in the [President's Council on Integrity and Efficiency "Quality Standards for Investigations."](#)

Regional and forest/grassland law enforcement plans must be reviewed annually and revised if needed. Ensure that the appropriate National Forest System line officers are involved in the development and concurrence of unit law enforcement plans.

Ensure all law enforcement activities are done in accordance with safety considerations as identified in current job hazard analyses (FSH 6709.11, ch. 10, sec. 11.12).

Identify funding levels necessary to implement agreed upon crime prevention strategies.

For information on state-of-the-art crime prevention strategies contact the Center for Problem-Oriented Policing (<http://www.popcenter.org/>), Department of Justice Office of Community Oriented Policing Services (www.cops.usdoj.gov), and the National Criminal Justice Reference Service (www.ncjrs.gov).

5310.4 - Responsibility

5310.41 - Chief

See FSM 5304.1.

5310.42 - Washington Office, Director of Law Enforcement and Investigations

It is the responsibility of the Washington Office, Director of Law Enforcement and Investigations to:

1. Ensure regional law enforcement plans are completed.
2. Approve regional law enforcement plans.
3. Monitor revisions to regional law enforcement plans.
4. Maintain the record copy of regional law enforcement plans.

5310.43 - Regional Foresters

It is the responsibility of regional foresters to:

1. Review and concur on the regional law enforcement plan and any revisions.
2. Coordinate with the special agent in charge to ensure the approved plan is implemented.
3. Provide input to determine staffing needs and drawdown levels for the plan.

5310.44 - Special Agents in Charge

It is the responsibility of special agents in charge to:

1. Review and approve forest and grassland law enforcement plans and any revisions. Maintain the record copy of the plans.
2. Develop regional law enforcement plans in accordance with FSM 5311 and submit the plans annually to the Washington Office, Director, Law Enforcement and Investigations for approval in accordance with FSM 5312. If no revision to the plan is needed, a written certification of that determination may be submitted.
3. Coordinate with National Forest System line officers to ensure that approved law enforcement plans are implemented.
4. Ensure regional foresters and forest and grassland supervisors are kept apprised of changes in staffing and drawdown levels.
5. Fund cooperative law enforcement agreements issued under Title 16, United States Code, Section 551a.
6. Develop the regional budget plan (FSM 5313).

5310.45 - Forest and Grassland Supervisors

It is the responsibility of National Forest System forest and grassland supervisors to:

1. Review and concur with forest and grassland law enforcement plans and any revisions.
2. Coordinate with the applicable Law Enforcement and Investigations personnel to ensure that the approved plan is implemented.
3. Provide input to determine staffing needs and drawdown levels identified in the unit plan.

5310.46 – Supervisory Law Enforcement Officers (Patrol Commander or Patrol Captain)

It is the responsibility of Law Enforcement and Investigations supervisory law enforcement officers (patrol commanders and patrol captains) to:

1. Develop forest and grassland law enforcement plans in accordance with FSM 5311 and submit the plans to the special agent in charge for approval in accordance with FSM 5312. If no revision to the plan is needed, submit a written certification of such to the special agent in charge.
2. Coordinate with the applicable National Forest System line officers to ensure that the approved plan is implemented.
3. Solicit input from forest and grassland supervisors on staffing needs and drawdown levels identified in unit plans.

5310.5 - Definitions

Drawdown. The minimum acceptable level of full-time law enforcement personnel available within a unit (second supervisory level) to provide law enforcement activities within the unit.

Unit. A unit for planning purposes of the Law Enforcement and Investigations program must be the second supervisory level. For example, a patrol captain supervises a group of law enforcement officers and reports to a patrol commander. The patrol commander would be the second supervisory level. The unit would encompass all employees, and the geographic area those employees cover, under the supervisory control of the patrol commander.

5311 - Minimum Standards for Law Enforcement Plans

Ensure that each law enforcement plan includes the components and meets the minimum standards set forth in FSM 5311.1 through 5311.2, and FSH 5309.11, chapter 10.

5311.1 - Regional Law Enforcement Plans

Significant areas of the regional law enforcement plan (FSM 5311.11 through 5311.14) must be developed from the specific information provided by in forest and grassland law enforcement plans.

5311.11 - Introduction

Identify the general characteristics of the local geographic area including:

1. Landownership patterns;
2. Population, demographics, and visitor impacts;
3. Availability and capability of State and local law enforcement agencies;
4. Major areas and types of criminal activity;
5. Potentially hazardous situations such as local militant groups and narcotics traffickers;
6. Existing Forest Service law enforcement capabilities; and
7. General history of the unit's law enforcement program.

5311.12 - Problem Identification

Identify specifically the most serious past problems experienced and future problems anticipated. At a minimum, address the areas described in FSM 5311.12a.

5311.12a - People, Property, and Natural Resources

1. Assaults or threats against forest officers and/or forest visitors.
2. Forest property and/or product destruction and theft.
3. Archeological and paleontological resources theft and destruction.
4. Illegal outfitting.
5. Fire cause and origin determination.
6. Off highway vehicle use.

5311.12b - Other Related Crimes/Activities

1. Homeland security.
2. U.S. border security.

3. Drug enforcement.
4. Domestic terrorism.
5. Special events.

5311.13 - Action Plan

Establish practices, procedures, and direction for the unit's approach in redeeming its law enforcement responsibilities.

5311.14 - Prevention

Address applicable crime prevention strategies as they apply to the unit's top five serious issues. See FSM 5303.5 for guidance on preventing crime through public and employee information, educational efforts, and awareness.

5311.15 - Cooperation

Specify what actions must be taken to strengthen Forest Service cooperative efforts with other Federal, State, and/or local agencies to help solve problems identified. Identify needs for cooperative agreements or other implementing instruments.

Regional plans should also identify how the region will provide law enforcement support for Job Corps centers and Research and Development stations.

5311.16 - Investigations

Identify how the unit's criminal and civil investigations must be managed (FSM 5321 and 5309.11) to include:

1. Meeting the [President's Council on Integrity and Efficiency standards](#), including:
 - a. Independence of investigations.
 - b. Due professional care.
 - c. Planning of investigations.
 - d. Execution of investigations.
 - e. Reporting of investigations.
 - f. Information management.
2. The roles and responsibilities of officers and agents in the conduct of criminal and civil investigations.

5311.17 - Enforcement

Identify the unit's priorities for enforcement actions as they relate to FSM 5302. Identify compliance enforcement strategies for forest protection officers.

5311.18 - Staffing

1. Management Roles. Line officer shall provide input for staffing needs and drawdown levels.
2. Staffing. Staffing shall comply with current approved organizational charts and budget allocations. Reserve law enforcement officers may serve as a supplemental resource when the need for full-time law enforcement personnel exceeds current staffing levels. Reserve law enforcement officers do not need to be identified on the unit's organizational chart, but must be accounted for in annual budget requests.
3. Organization and Staffing. The special agent in charge (SAC) shall include the following when planning organizational and staffing patterns:
 - a. Each region shall have, at a minimum, an assistant special agent in charge and a patrol commander. The SAC may organize with one or more supervisory special agents, or special agents with certain assigned program specialty areas, reporting to them.
 - b. Special agents shall be supervised by a supervisory special agent.
 - c. Law enforcement officers shall be supervised by patrol captains, and patrol captains by patrol commanders.
4. Drawdown Levels and Dispatching Procedures. Each unit shall establish drawdown levels (not to exceed 50 percent of available resources) and establish dispatch procedures for providing support for planned operational incidents and emergency situations using the following:
 - a. Drawdown levels must be established in partnership with unit line officers, to ensure obligations to units can be adequately carried out.
 - b. Drawdown levels must be viewed on a unit basis. The unit shall be viewed as the second supervisory level. Unit law enforcement personnel may be detailed on a short-term basis (not to exceed 21 consecutive calendar days) to another unit when the receiving unit is unable to provide adequate enforcement actions due to planned or unplanned enforcement operations.
 - c. Regions shall consider the number of full-time law enforcement personnel (law enforcement officers and special agents) who are available to perform their normal duties. When that level reaches the established drawdown level (not to exceed 50 percent of available resources), law enforcement personnel shall not be assigned to

investigations or incidents away from the unit without approval from the Director, Law Enforcement and Investigations.

d. Establish procedures at the region or unit level for dispatching of full-time law enforcement personnel (law enforcement officers and special agents) to emergency incidents managed under the incident command system (ICS).

5311.19 - Contingency Planning

1. Problems exceed unit's capability. Identify procedures to be followed when existing or potential enforcement issues exceed a unit's capability, such as unusual, sensitive, or emergency situations involving large groups; confrontations with hostile groups; and repossession of illegally held facilities on National Forest System lands.
2. Liaison with other agencies. Identify positions responsible for establishing, directing, and coordinating liaison with other agencies.
3. Specialized training. Include any specialized training needed to implement the plan.

5311.2 - Forest and Grassland Law Enforcement Plans

Forest and grassland law enforcement plans must identify the unit's primary law enforcement issues and include:

1. Major areas and types of criminal activity (both enforcement and investigative).
2. Potentially hazardous situations, such as local militant groups and narcotics traffickers.
3. Issue identification as described in FSM 5311.12.
4. Action plans (FSM 5311.13) for the top five enforcement issues identified.
5. Prevention strategies (FSM 5311.14) as they apply to the unit's top five enforcement issues.
6. Identification of areas where other Forest Service staffs and personnel outside of Law Enforcement and Investigations would support the identified issues through their own activities, for example, signing, information, education, permitting, and contracting.

5311.3 - Requirements of Special Law Enforcement Plans and/or Required Analysis

Direction for the minimum requirements of special law enforcement plans and/or required analysis can be found in FSH 5309.11, chapter 10.

5312 - Approval and Submission of Law Enforcement Plans

1. Regional law enforcement plans.

a. The special agent in charge shall review the plan annually, making revisions as needed.

b. The special agent in charge shall submit the plan to the regional forester for concurrence.

(1) After receiving concurrence, the special agent in charge shall submit the plan to the Director, Law Enforcement and Investigations (Director, LEI) for approval.

(2) If the regional forester does not concur with the plan, it shall be the responsibility of the special agent in charge to reach agreement on areas of concern before submitting the plan to the Director, LEI.

2. Forest and grassland (National Forest System unit) law enforcement plans.

a. The patrol captain shall review the plan annually and make any needed revisions. If no revision is necessary, the patrol captain shall sign a certification that the plan has been reviewed and no revisions are necessary.

b. The patrol captain will submit the plan (or certification) to the affected National Forest System (NFS) line officer (for example forest or grassland supervisor) for concurrence. If the unit supervisor does not concur with the unit law enforcement plan, it shall be the responsibility of the patrol captain to reach an agreement on areas of concern before submitting the plan to the special agent in charge.

c. After receiving concurrence from the NFS line officer, the patrol captain shall submit the plan to the special agent in charge, through the regional patrol commander, for approval. The plan is approved when signed by the special agent in charge.

3. Special law enforcement plans and/or required analysis.

Direction for the submission of special law enforcement plans and/or required analyses can be found in FSH 5309.11, chapter 10.

5313 - Funding of Law Enforcement Positions and Activities

Law Enforcement and Investigations (LEI) line officers should identify the funding necessary to operate the unit's LEI program. Other agency line officers should identify the funding necessary to operate their unit's compliance (forest protection officer) and reserve law enforcement officer programs. Ensure that all costs are properly identified and documented on work plans by the appropriate funding codes.

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Any funds administered by the LEI program may be used to fund the LEI program, and to support the reserve law enforcement officer program as negotiated with other affected line officers. Any other funds available for use by the Forest Service may be used to fund the forest protection officer and reserve law enforcement officer programs, and to provide support to the LEI program as negotiated with affected LEI officers (for example, use of recreation funds where LEI personnel provide enforcement and compliance services to recreation area enforcement problems).

The affected LEI special agent in charge and the other affected Forest Service unit line officers shall negotiate funding needs for reserve law enforcement officer positions prior to reserve law enforcement designation (FSM 5304.3).