

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

**Forest Service Manual 5300 – Law Enforcement  
Chapter 5380 – Law Enforcement Equipment**

**Amendment:** 5300-2023-2

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**Duration:** This amendment is effective until superseded or removed.

**Approved by:** Randy Moore, Chief

**Date approved:** September 28, 2023

**Responsible Staff:** Law Enforcement and Investigations (LEI)

**Last Change:** Amendment 5300-2023-1 to FSM 5370

**Superseded Document(s):** 5300-2022-5, chapter 5380, February 17, 2022

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

**Chapter 5380:** Revises cross-references and makes minor editorial and technical changes throughout the chapter. These changes address the GAO audit concerns for the National K-9 Program.

**Section 5389.1:** Renames section title from “Police Service Dogs” to “Law Enforcement K-9s” and sets forth direction. Changes language throughout section from “Police Service Dogs (PSD)” to “K-9” and updates direction.

**Section 5389.11:** Renames section title from “Selection and Procurement of Police Service Dogs” to “Selection and Procurement of K-9s” and sets forth direction. References the procurement of K-9s and the criteria for K-9 breeds. Updates direction on approved vendors for K-9 procurement and training.

**Section 5389.12:** Renames section title from “Care of Police Service Dogs” to “Care of K-9s” and sets forth direction. Outlines the use of routine veterinary care, proper work-rest cycles, preventative rest, emergency medical care, euthanasia, medical concerns, and the death of a K-9. Updates direction on medication, medical and K-9 records, breeding, unattended K-9, transport, housing, grooming, and nutrition.

**Section 5389.13:** Renames section title from “Badges for Police Service Dogs” to “Badges for K-9s” and sets forth direction on K-9 badges and adds language, “issuance of K-9 credentials to a certified K-9 team.”

**Section 5389.14:** Renames section title from “Retirement of Police Service Dogs” to “Retirement and Transferring of K-9s” and sets forth direction on transferring of K-9s and updates on retirement.

**Section 5389.15:** Renames section title from “Police Service Dog Specialized Equipment” to “K-9 Specialized Equipment” and adds direction on specialized equipment needed for the care, maintenance, and training of the K-9 Team.

**Section 5389.15a:** References the approved mandatory equipment provided by the Agency.

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**Forest Service Manual-Handbook 6100 – Personnel Management**

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## **5380.2 - Objective**

To provide guidelines to ensure that law enforcement personnel and forest protection officers (FPOs) are provided with appropriate law enforcement equipment.

## **5380.3 - Policy**

The Forest Service will properly equip all law enforcement personnel and forest protection officers engaged in law enforcement activities.

## **5380.4 - Responsibility**

It is the responsibility of the Washington Office, Director of Law Enforcement and Investigations (Director, LEI) to ensure that law enforcement personnel are provided with equipment, which meets the standards, set forth in this chapter.

It is the responsibility of National Forest System line officers to ensure that forest protection officers who are authorized to issue form FS-5300-4, Violation Notice, are provided with a minimum of the following equipment:

1. Communication equipment, which provides two-way contact.
2. Appropriate reporting forms.
3. Proper identification (for example, PIV Card)
4. Appropriate Uniforms.

## **5381 – Firearms**

### **5381.03 – Policy**

1. Only sworn law enforcement personnel are authorized to carry approved firearms (FSM 5303.6). While performing law enforcement duties, law enforcement personnel shall carry an approved firearm. Only sworn law enforcement personnel authorized to carry firearms are authorized to carry non-lethal defensive equipment.
2. Approved handguns and ammunition carried by law enforcement personnel in uniform must be carried in holsters and ammunition carriers approved and issued by the agency. Non-uniformed personnel shall carry their firearms in a holster issued by the agency or approved by their immediate supervisor that provides safety and security for the weapon.
3. Law enforcement personnel carrying concealed, or when not in the approved Forest Service law enforcement uniform (FSM 6159, FSM 5377), shall carry identifying credentials and badge whenever wearing or carrying any weapon, unless working on undercover assignments.

4. Only approved firearms may be carried by law enforcement personnel (FSM 5381.1). The Law Enforcement and Investigations (LEI) Assistant Director - Training, Development, and Standards (LEI AD, Training) shall obtain and issue primary semi-automatic handguns (FSM 5381.11) and long guns (shotgun and/or rifle) (FSM 5381.13) to law enforcement personnel. The Forest Service may provide rifles, shotguns and/or secondary handguns to law enforcement personnel subject to availability, funding, and approvals (FSM 5381.12 and 5381.14).
5. Law enforcement personnel may carry firearms off duty. Firearms carried while off duty must meet the specifications in FSM 5381.1 and must be carried in a concealed manner. While being carried, the weapon must be carried in a concealable holster designed for that particular make and model to provide for safety and security. Law enforcement personnel shall submit the weapon for inspections and shall qualify prior to its use in an off-duty status. Law enforcement personnel are also authorized to carry authorized non-lethal equipment off duty. Readily identifiable as an Officer, Badge-Credentials, must be carried at all times to include a form of restraints.
6. Law enforcement personnel shall not mechanically modify, alter, or change authorized firearms without specific written authorization from the Director, LEI. Slings and/or rubber hand grips are not considered to be a mechanical modification. Law enforcement personnel shall not install optional accessories to weapons without written authorization from the Director, LEI (for personnel assigned to the Washington Office), or the Special Agent in Charge (for personnel assigned to a region).
7. Law enforcement personnel are personally responsible for all firearms issued to them. While on-duty, during normal patrol and field operations, all long-guns must be stored in vehicle locking mechanisms/storage box unless being deployed for field use. When off-duty, all agency issued firearms will be secured and locked out of sight when the vehicle is parked in a public area. Public areas include, but are not limited to, public parking lots, hotel parking lots, unsecured government facilities, or being parked overnight or at a residence on a public street or area easily accessible by the public. All weapons will be removed from Government vehicles unattended longer than 24 hours, regardless of location parked. The Forest Service must provide law enforcement personnel with a safety lock for each issued firearm and vehicle lock boxes for this storage. For vehicles that cannot accommodate lock boxes other locking mechanisms will be provided.
8. Law enforcement personnel are required to keep all firearms clean and in working order at all times.
9. Marked law enforcement vehicles (FSM 5385.22) must be equipped with carriers for a standard issued shotgun (FSM 5381.13) and/or rifle (FSM 5381.14) for use by law enforcement personnel.
10. All approved firearms must be inspected in accordance with agency standards (FSM 5381.16).

11. Law Enforcement and Investigations employees may not provide firearms to forest protection officers or other Forest Service personnel for law enforcement purposes, nor transfer firearms to Forest Service employees other than law enforcement personnel without the approval of the Director, LEI.

#### **5381.04 – Responsibility**

##### **5381.04a - Chief**

The Chief reserves the authority to:

1. Authorize and/or rescind the authority of the Washington Office, Director, Law Enforcement and Investigations (Director, LEI) to carry firearms (FSM 5304.1).
2. Approve written requests from the Director, LEI to carry personally owned firearms as a secondary weapon (FSM 5381.1, para. 4), if the Director has received authority to carry firearms per paragraph 1. A copy of the written determination (approval or disapproval) should be forwarded to the LEI Assistant Director - Training, Development, and Standards (LEI AD, Training).

##### **5381.04b - Washington Office, Director of Law Enforcement and Investigations**

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

1. Authorize Special Agents, Law Enforcement Officers, and Reserve Law Enforcement Officers to carry firearms. This authority may not be re-delegated, except as provided in FSM 5381.04c.
2. Rescind the authorization of law enforcement personnel to carry firearms upon the recommendation of a Washington Office, LEI Deputy Director (DD) or Assistant Director (AD) (for law enforcement personnel assigned to the Washington Office) or upon the recommendation of the Special Agent in Charge (SAC) (for law enforcement personnel assigned to a region) (FSM 5304.21).
3. Coordinate the service wide acquisition and in-field transfers of all firearms, non-lethal defensive equipment, and accessories. This program is managed by the LEI AD, Training. Firearms and accessories issued to law enforcement personnel must be transferred with the employee if the employee changes duty stations within the Forest Service.
4. Approve written requests by SACs and Washington Office law enforcement personnel (other than the Director, LEI) to carry personally owned firearms as secondary weapons (FSM 5381.1, para. 4). Only law enforcement personnel, who have received authority to carry firearms from the Director, LEI, shall be authorized to carry personally owned firearms. Forward a copy of the written determination (approval or disapproval) to the LEI AD, Training.



5. Approve written requests by law enforcement personnel to carry firearms not specified in FSM 5381, sections 5381.12 through 5381.14. All requests for exceptions must be made upon recommendation of the SAC (for law enforcement personnel assigned to a region), an LEI Assistant Director (for law enforcement personnel assigned to the Washington Office) and the Deputy Director – LEI (for SACs). A copy of the written determination by the Director, LEI (approval or disapproval) must be forwarded to the LEI AD, Training.
6. Ensure that all firearms other firearms accessories assigned to Washington Office law enforcement personnel are sent to the LEI AD, Training immediately after an employee's retirement or transfer to a non-law enforcement position.
7. Approve the installation of lighting systems on weapons, or law enforcement personnel assigned to the Washington Office and Special Agents in Charge (SAC) (FSM 5381.13 and FSM 5381.14).
8. Approve the purchase and installation of telescopic lenses or other optical sighting devices for rifles for law enforcement personnel assigned to the Washington Office.

#### **5381.04c - Special Agents in Charge**

It is the responsibility of Special Agents in Charge (SACs) to:

1. Ensure that the acquisition of firearms, non-lethal defensive equipment, and accessories is coordinated through the Washington Office, Director, Law Enforcement and Investigations (Director, LEI) (FSM 5381.1, para. 3).
2. Approve written requests by regional law enforcement personnel (other than the SAC) to:
  - a. Authorize law enforcement personnel who have already received authority to carry firearms, to carry personally owned firearms (FSM 5381.1, para.4).
  - b. Maintain a written record of the determinations of any requests (approval or disapproval) and forward a copy of the determination to the LEI Assistant Director – Training, Development, and Standards (LEI AD, Training).
3. Ensure that all firearms and firearms accessories assigned to regional law enforcement personnel are sent to the LEI AD, Training immediately after employee's retirement or transfer to a non-law enforcement position.
4. Recommend for approval to the Director, LEI, the written requests by law enforcement personnel to carry firearms not specified in FSM 5381.11 through 5381.14.
5. Approve the installation of lighting systems on weapons for law enforcement personnel assigned to their region (FSM 5381.13,14, 16).

6. Approve the purchase and installation of telescopic lenses or other optical sighting devices for rifles for law enforcement personnel assigned to their region.
7. Notify the LEI AD, Training when a law enforcement personnel transfers to a different duty station.

#### **5381.04d - Supervisory Law Enforcement Personnel**

It is the responsibility of supervisory law enforcement personnel to:

1. Ensure that law enforcement personnel adhere to all firearms standards and policy.
2. Ensure that approved firearms are inspected according to agency standards (FSM 5381.16).
3. Ensure that all firearms and firearms accessories assigned to law enforcement personnel are sent to the LEI AD, Training immediately after an employee's retirement or transfer to a non-law enforcement position.

#### **5381.04e - All Law Enforcement Personnel**

It is the responsibility of all other law enforcement personnel to:

1. Adhere to all firearms standards and policies.
2. Utilize only authorized firearms with which all qualification standards have been met (FSM 5372.21).
3. Ensure that Government-owned weapons removed from service are sent to the LEI AD, Training.
4. Ensure that all authorized weapons purchased by the Forest Service, including magazines and other firearms components, are sent to the supervisor prior to retirement or transfer to a non-law enforcement position.

#### **5381.05 – Definitions**

**Long Gun.** A rifle or shotgun. Long guns have greater defensive capabilities than handguns and may be used when handguns may be inadequate.

**Primary Handgun.** The primary handgun is the officer's principal weapon when conducting day-to-day law enforcement duties. It may also be used as an off-duty weapon.

**Secondary Handgun.** A secondary handgun is an alternative to the primary handgun and is designed for use at close range when the primary handgun is not available or not readily accessible. It may be carried in addition to the primary handgun while on duty, or may be carried instead of the primary handgun when off duty.

## **5381.1 - Authorized Firearms**

### **5381.11 - Firearms Exceptions**

All firearms issued to law enforcement personnel must meet the specifications and be approved for use as identified in FSM 5381.11 through 5381.16 unless an exception has been authorized (FSM 5381.04b). In an emergency situation where prior approval is not practical, the Officer is authorized to use whatever firearm or ammunition is available. Report the use of such weapons or ammunition immediately to the Director, LEI (for personnel assigned to the Washington Office) or to the SAC (for personnel assigned to a region) through their chain of command.

Law Enforcement personnel wanting to carry a personally owned firearm must follow the guidelines listed below for approval.

1. Law Enforcement Personnel. Law enforcement personnel shall submit a written request through proper supervisory channels to the SAC (for personnel assigned to a region), the Assistant Director (AD) (for personnel assigned to the Washington Office), or to the Deputy Director or Director, LEI (for SACs). The employee's written request must describe:
  - a. The need or reason to carry a personally owned firearm.
  - b. The timeframe for which the exception is requested.
  - c. Training record indicating a qualifying score for the firearm.
  - d. Letter from firearms armorer indicating the firearm has been inspected and is in excellent working order. This inspection should be done every three years and may be done at government expense.
  - e. If the weapon is factory-new, provide a copy of the sales receipt or similar verification of new purchase. If the weapon is not factory new, the requesting officer shall query the weapon in the National Crime Information Center to ensure the integrity of the weapon and attach a copy of the query and result to the request.
2. Special Agent in Charge, AD, or Deputy Director. The receiving SAC, AD, or Deputy Director shall forward the request, with verification that the employee is currently authorized to carry firearms and their recommendation, through the chain of command to the Director, LEI.
3. Director, LEI. The Director, LEI shall review the use of the excepted firearm, and return the decision to the recommending SAC/AD/Deputy Director, with a copy of the request and decision to the LEI AD - Training, Development, and Standards (LEI AD - Training) who shall retain a file of all authorizations.

4. Special Agent in Charge, AD, or Deputy Director. The recommending SAC, AD or Deputy Director shall maintain a copy of the request and the Director's, LEI decision, and shall forward the original to the requesting employee. A copy of these documents shall be filed in the officers' training file.
5. Director, LEI. Submit written requests to the Chief for approval. Approving officials shall verify the employee is currently authorized to carry firearms prior to approval of a personally owned firearm.
6. Approving officials shall respond to these requests within 10 working days and provide a copy of the written determination to the requesting officer. Approving officials shall maintain a file containing the originals of all requests, inspection and NCIC documentation, and subsequent approvals or denials. A copy of these documents must be provided to the requesting officer and shall be filed in the officer's Law Enforcement and Investigations training file.

### **5381.12 - Primary Handguns**

Unless approved by Director, LEI, uniformed law enforcement personnel shall wear their primary handgun holstered on their duty belt. Law enforcement personnel are authorized to carry a primary handgun. Standard issue handguns issued by the LEI AD, Training are semi-automatic pistols manufactured by Glock, chambered in a size compatible with officer stature and assignment. Non-standard weapons currently in service may remain in service provided they meet the following specifications:

1. A double-action or safe-action semi-automatic pistol with a minimum caliber of 9x19 millimeter. All semi-automatic pistols must have standard features to include an internal or external mechanism, other than the trigger, that allows the hammer to return to the double-action mode without allowing contact of the firing pin with the cartridge primer. The method of keeping the firing pin from striking the cartridge primer must be, at a minimum, a fixed firing pin block/safety that blocks the firing pin and remains in the forward path of the firing pin until the trigger is pulled in such a manner as to fire the weapon.

### **5381.13 - Secondary Handguns**

Law enforcement personnel are authorized to carry a secondary handgun, which can be a semi-automatic or revolver. The Director, LEI shall approve the purchase of new Government-owned secondary handguns (FSM 5381.03, para. 4).

All issued secondary handguns must comply with specifications for double- or safe-action as described in FSM 5381.12, paragraph 1. Personally owned weapons, which may be of a lesser caliber and/or may not utilize a firing pin block safety, may be authorized for use as secondary weapons if approved as safe and appropriate for that use by the Director, LEI (FSM 5381.11).

While on duty performing law enforcement duties, do not use the secondary handgun as a substitute for the primary handgun unless operating in an undercover capacity or some other situation requiring concealment (FSM 5380.05).

#### **5381.14 - Shotguns**

All law enforcement personnel may be issued a 12-gauge pump or semi-automatic shotgun of American manufacture designed for police use. Use 12-gauge 00 buckshot, or 12-gauge rifled slug. Never use shells that exceed the chamber length designated by the barrel marking and the receiver ejector. Authorized lighting systems may be installed on issued shotguns upon approval of the Director, Law Enforcement and Investigations (for personnel assigned to the Washington Office and Special Agents in Charge) or the Special Agent in Charge (for personnel assigned to a region).

#### **5381.15 - Rifles**

Semi-automatic rifles, chambered for 5.56 NATO, may be issued to law enforcement personnel. The rifle shall be a lightweight patrol rifle that is air-cooled, gas operated, magazine-fed, weapon designed for semi-automatic fire. Special Agents in Charge may also purchase and issue non-standard rifles that are suitable for protection from bears in those regions where it is necessary for employee and public safety.

Authorized lighting systems and optical sighting units may be installed on issued rifles upon approval by the Director, Law Enforcement and Investigations (LEI) (for personnel assigned to the Washington Office and Special Agents in Charge) or the Special Agent in Charge (for personnel assigned to a region). The installation of such lighting and optical sighting units must not interfere with the existing factory sights.

#### **5381.16 - Duty Configuration for Shotgun and Rifle**

The following are the approved duty carry configurations. When making a firearm ready for duty carry, all firearms must be pointed in a safe direction or use of a ballistic device (i.e. Clearing barrel, Forest Service ballistic pad) must be used to ensure the safe operation of all firearms. Ensure the fundamental rules of firearm safety are followed when handling firearms.

1. Shotgun – The shotgun shall be carried with the action closed, chamber empty, selector switch on safe and secured in the vehicle mounted weapon rack or a locked compartment.
2. Rifle – The rifle shall be carried with the bolt closed, chamber empty, selector switch on safe, a loaded magazine in the magazine well and secured in the vehicle mounted weapon rack or locked compartment.

### **5381.17 - Lighting Systems on Primary Handguns**

The Special Agent in Charge may approve installation of an authorized lighting system on the primary handgun of law enforcement personnel. Only handguns that are factory cut for the light mount may be approved to have a light mounted on the handgun.

This authorization must be made contingent on the following written notice which must be provided to the officer/agent:

“The weapon-mounted light must not be used for routine illumination. The weapon-mounted light must only be used where the drawing or deployment of the weapon is consistent with the agency’s firearms and use of force policy. The officer shall also carry a regular flashlight as a part of the standard duty gear at all times.”

A copy of the authorization must be filed in the officer’s training and qualifications file.

The officer must qualify on the Forest Service Primary Weapon Mounted Light/Low Light Qualification Course prior to carrying the handgun with the mounted light.

### **5381.18 - Firearms Inspections**

#### **5381.18a - Firearms Safety Inspections**

Firearms instructors shall conduct a safety inspection on any weapon exhibiting malfunctions during training or qualification. The officer or agent whose weapon is found to be unserviceable shall send the weapon to an armorer. The armorer must be certified by the weapon’s manufacturer or other approved armorer certification course for repairs on the particular firearm being inspected. If the armorer is unable to repair the weapon, or the repairs are not cost-effective, the weapon must be transferred to the LEI AD, Training for replacement. A weapon of the same make and model (if available) must be issued to law enforcement personnel by the LEI AD, Training.

#### **5381.18b - Firearms Inspection by Qualified Armorer**

The Director, LEI (for personnel assigned to the Washington Office), and Special Agents in Charge (for personnel assigned to a region) shall ensure that all Government-issued and authorized personally owned weapons used by law enforcement personnel are inspected and given a serviceability check by an armorer. The armorer must be certified by the weapon’s manufacturer or other approved armorer certification course for repairs on the particular firearm being inspected. The inspection shall occur at least once every year. Necessary repairs may be made by the qualified armorer. If the armorer is unable to repair the weapon, or the repairs are not cost-effective, the weapon must be transferred to the LEI AD, Training for replacement. A weapon of the same make and model (if available) will be issued to law enforcement personnel by the LEI AD, Training.

### **5381.19 - Firearms Safety Locks**

Provide a keyed or combination gun lock with each firearm issued.

### **5381.2 - Lost Firearms**

See FSH 5309.11, chapter 80 for procedures on accounting for the loss of a firearm.

### **5382 - Ammunition**

Use jacketed or semi-jacketed hollow-point ammunition, in the appropriate caliber, for all handgun duty and qualification purposes. Only factory loaded ammunition meeting Sporting Arms and Ammunition Manufacturers' Institute (SAAMI) standards may be used. Follow direction in FSM 6411.2 for ammunition purchase and whenever practical purchase under General Services Administration or other Government supply schedules in order to secure the best price available. Applicable ammunition specifications can be found by contacting the LEI AD-Training.

### **5383 – Duty Belts and Accessories**

#### **5383.1 - Official Law Enforcement Field Uniform**

When wearing the official law enforcement Class B Field Uniform (FSM 5377.12) and conducting routine law enforcement duties, law enforcement personnel shall wear approved black basket weave leather or synthetic leather and accessories with gold, black, or concealed hardware designed for police use with buckle to the front.

#### **5383.2 - Tactical or Specialized Law Enforcement Operations**

A nylon duty belt or tactical vest and accessories may be worn by law enforcement personnel in place of the standard duty belt (FSM 5383.1) when conducting tactical law enforcement operations. Supervisors may authorize exceptions to the standard duty belt for specialized law enforcement operations.

### **5384 – Credentials, Badges, and Awards**

See FSH 5309.11, chapter 80, for procedures on issuing and accounting for the loss of credentials and badges.

#### **5384.03 – Policy**

1. Only law enforcement personnel who have successfully completed the required training identified in FSM 5372.11-12 for Reserve Law Enforcement Officer (RLEO), Law Enforcement Officer (LEO), or Special Agent (SA) shall be issued identifying badges and credentials.
2. Law enforcement personnel shall adhere to the following standards:

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- a. While carrying approved firearms law enforcement personnel shall carry numbered pocket credentials and appropriate badges for identification unless conducting approved undercover operations.
  - b. While wearing the official law enforcement Class B field uniform (FSM 5377.13), the uniform badges must be worn on the law enforcement uniform shirt above the left pocket.
  - c. While wearing the official law enforcement Class A dress uniform (FSM 5377.12), the law enforcement badge must be worn on the Class A jacket above the left pocket.
3. Law enforcement officer, SA, K9 badges and accompanied credential cards are accountable property (FS PMR 104G-51.214) and must be turned in to the LEI AD, Training upon discontinuance of service.
4. Law Enforcement personnel should update credentials every 5 years or in the event they become damaged or worn, to ensure that they can be identified by the photograph and name shown on their credentials. Name or title change requests for existing credentials should be made by formal written request to the LEI AD, Training through the appropriate SAC (regional personnel) or AD, Deputy Director, or Director, LEI (Washington Office personnel).
5. Shrouding of Law Enforcement Badges:
  - a. Upon notification of the death of a Forest Service Law Enforcement Officer, Reserve Law Enforcement Officer, or Special Agent, Law Enforcement personnel, who are in uniform, shall place the shroud on the badge. The shroud must be worn from the time of notification until midnight of the day of the officer's funeral.
  - b. Badges must be shrouded when law enforcement personnel attend Peace Officer memorial ceremonies or at the direction of the Director, LEI.
  - c. The shroud must be placed across the badge horizontally.
  - d. The shroud must be made of black elastic material.
  - e. Badges maybe shrouded for Forest Service Non-LEI death or outside Agency death with approval from the Director, LEI.

#### **5384.04 – Responsibility**

##### **5384.04a - Washington Office, Director of Law Enforcement and Investigations**

It is the responsibility of the Washington Office, Director, LEI to:



1. Ensure issuance of credentials and badges to law enforcement personnel. Ensure that the number assigned to each set of credentials corresponds to the badge number.
2. Approve the design of agency credentials.
3. Ensure that all badges and credentials issued to personnel assigned to the Washington Office are sent to the LEI AD, Training immediately after an employee's retirement or transfer to a non-law enforcement position.
4. Ensure that retiring Special Agents and Law Enforcement Officers assigned to the Washington Office are in good standing pursuant to FSM 5384.2 before they are issued a retirement badge, retirement credentials, and an award presentation (FSM 5384.2).

#### **5384.04b - Special Agents in Charge**

Each Special Agent in Charge (SAC) shall:

1. Ensure that all badges and credentials issued to law enforcement personnel assigned to a region are sent to the LEI AD, Training immediately after their retirement, separation, or transfer to a non-law enforcement position.
2. Ensure that retiring Special Agents and Law Enforcement officers assigned to a region are in good standing pursuant to FSM 5384.2 before they are issued a retirement badge, retirement credentials, and an award presentation (FSM 5384.2).

#### **5384.1 - Badge Numbering Sequence**

##### **5384.11 - Special Agents**

Each Special Agent (SA) shall have their own badge number corresponding to the number assigned to the SA credentials. The badge number remains the same regardless of geographic assignment. This number is assigned by the Director, Law Enforcement and Investigations (Director, LEI). The numbering sequence for badges and credentials of all SAs, other than the Director, LEI begins with the number 101 and ends with the number 999. The Director, LEI, if issued a badge and credentials, is assigned badge and credential number 100. When SAs retire, their badge and credential number must not be reassigned to another employee.

##### **5384.12 - Law Enforcement Officers and Reserve Law Enforcement Officers**

Each Law Enforcement Officer (LEO) and Reserve Law Enforcement Officer (RLEO) shall have their own badge number corresponding to the number assigned to their credentials. The badge number assigned remains the same, regardless of geographic assignment. The number is assigned by the Director, Law Enforcement and Investigations. The numbering sequence for badges and credentials of LEOs and RLEOs begins with the number 1000 and ends with the number 9999. When LEOs and RLEOs retire, their badge and credential number must not be reassigned to another employee.

## **5384.2 - Retirement Badges, Credentials, Photographic Identification Card and Award Presentation**

### **5384.21 - Retirement Badges and Credentials**

A Law Enforcement Officer (LEO) or Special Agent (SA) who is retiring from Government service and/or who is deemed eligible by the Forest Service for retirement or a work-related disability retirement, and is retiring in good standing, may receive a badge and credentials marked “retired.” Reserve law enforcement officers are not eligible for these items. LEOs and SAs retiring from Government service are in good standing if, immediately prior to retirement, they are not subject to any disciplinary action by the Forest Service to include: Retired during a pending internal affairs or administrative investigation in which the employee has been proposed for removal or the facts would likely lead to removal or is in the process of having their security clearance suspended or revoked.

The retirement credentials and badge are sent to the Director, Law Enforcement and Investigations (LEI) (for personnel assigned to the Washington Office) or to the Special Agent in Charge (for personnel assigned to a region) after all equipment (active duty credentials, badges, and weapons) have been returned to the LEI Assistant Director - Training, Development, and Standards (LEI AD, Training). The Director or Special Agent in Charge shall transfer the retirement credentials and badge with an AD-107 to the employee and ensure that the AD-107 is returned to the LEI AD, Training immediately.

### **5384.22 - Photographic Identification Card (LEOSA)**

In accordance with the Law Enforcement Officers Safety Act of 2004, as codified in 18 USC § 926C, Law Enforcement and Investigations may issue a photographic identification card to a Law Enforcement Officer (LEO) or Special Agent (SA) upon retirement for the purposes of carrying a concealed firearm. Reserve law enforcement officers are not eligible to receive a photographic identification card. The photographic identification card does not convey any law enforcement authority to the bearer.

A photographic identification card will only be issued to a retired LEO or SA meeting the criteria of a “qualified retired law enforcement officer” as set forth in 18 USC § 926C(c) (1)-(4),(6),(7); specifically, an individual that:

1. Retired in good standing from service with a public agency as a law enforcement officer, other than for reasons of mental instability;
2. Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest; and
3. Before such retirement, was regularly employed as a Forest Service Law Enforcement Officer or Special Agent for an aggregate of 10 years or more; or retired from service, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by the agency and has a non-forfeitable right to

benefits under the retirement plan of the agency; is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and is not prohibited by Federal law from receiving a firearm.

4. For purposes of carrying a concealed firearm, possession of the photographic identification card alone will not satisfy the requirements of the Law Enforcement Officers Safety Act of 2004. In order to be used for purposes of carrying a concealed firearm, the photographic identification card must, in accordance with 18 USC § 926C(d)(2), be accompanied by a certification issued by the State in which the individual resides that indicates that the individual has, not less than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the State to meet the standards established by the State for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm. Forest Service Law Enforcement and Investigations shall make no determination as to whether a retired LEO or SA meets the training and qualification standards required by 18 USC § 926C(d)(2), nor will the agency perform firearms qualification/certifications for a retired LEO or SA. A retired LEO or SA shall not use firearms training and qualification records generated during their federal employment for purposes of obtaining state certification necessary under 18 USC § 926C(d)(2).
5. The information contained on the photographic identification card shall include:
  - a. Issuing Agency as United States Forest Service;
  - b. The name of the retired LEO or SA;
  - c. A photographic image of the retired LEO or SA;
  - d. An identification number traceable to the retired LEO or SA (LEI badge number at time of retirement);
  - e. The date the LEO or SA retired from the law enforcement program;
  - f. Language clearly identifying the retired LEO or SA as a “Retired Law Enforcement Officer.”
  - g. Language disclaiming that the retired LEO or SA has any official status with the agency “This card identifies the bearer as a retired law enforcement officer of the United States Forest Service, Law Enforcement and Investigations. The bearer is not an officer or agent of Law Enforcement and Investigations and this photographic identification card does not give the bearer any authority to act on Law Enforcement and Investigations’ behalf or to exercise law enforcement authority”.
  - h. Language stating that the photographic identification card must be accompanied by a current (within the most recent 12 months) firearms qualification certification from the bearer’s state of residence.

The Law Enforcement and Investigations Assistant Director - Training, Development, and Standards shall prepare and issue a photographic identification card to law enforcement personnel (FSM 5305) who retire from government service in good standing (FSM 5384.21). Each such identification card shall, at a minimum, include the name of the individual, the individual's photograph, an identification number traceable to the bearer, the date the employee retired in good standing from service with the issuing agency, and the phrase "Retired Federal Law Enforcement Officer or Retired Federal Special Agent." Forest Service law enforcement personnel while on duty shall not train or qualify retired employees to carry a firearm for the purposes of 18 U.S.C. 926C(d)(2)(B) of the Act.

The photographic identification card is sent to the Director, Law Enforcement and Investigations (LEI) (for personnel assigned to the Washington Office) or to the Special Agent in Charge (for personnel assigned to a region) after all equipment (active duty credentials, badges, and weapons) have been returned to the LEI Assistant Director - Training, Development, and Standards (LEI AD, Training). The Director or Special Agent in Charge shall transfer the photographic identification card with an AD-107 to the retired employee and ensure that the AD-107 is returned to the LEI AD, Training immediately.

### **5384.23 - Retirement Award Presentation**

A Law Enforcement Officer (LEO) or Special Agent (SA) who is retiring from Government service and/or who is deemed eligible by the Forest Service for a work-related disability retirement and is retiring in good standing may be presented with an award presentation. Reserve Law Enforcement Officers may receive an encased official replica of the badge (shield) upon their retirement from the agency. The options for available award presentations must be approved by the Director, LEI and maintained by the LEI AD, Training. The retiring LEO or SA may select the preferred award presentation using the award presentation order form, and the form forwarded to and approved by the Special Agent in Charge (SAC) (for personnel assigned to a region), or by the Director, LEI (for personnel assigned to the Washington Office). Send the approved form to the LEI AD, Training. The award must be shipped to the requesting SAC or Director, LEI for presentation to the employee, along with a Form AD-107 that must be signed by the employee and returned immediately.

### **5384.3 - Separating or Transferring Employee Awards**

An employee in good standing with at least five years of service as a Law Enforcement Officer (LEO) or Special Agent (SA) may receive an encased official replica of the SA or LEO badge upon their separation from the agency or transfer within the agency to a position other than law enforcement. Reserve Law Enforcement Officers are not eligible for this item. The Director, LEI (for personnel assigned to the Washington Office) or to the Special Agent in Charge (SAC) (for personnel assigned to a region) shall request the presentation through the LEI AD, Training. The replica will be shipped back to the requesting SAC or Director, LEI for inscription and presentation.

## **5385 - Vehicles**

Ensure that vehicles used for law enforcement purposes maximize officer safety and serve to support a proactive violation prevention program through uniformity and consistency with properly equipped vehicles.

### **5385.03 – Policy**

1. All vehicles used for law enforcement purposes must be equipped to meet applicable State laws (if any exist) as they pertain to vehicles operated by peace officers, for the State in which the officer's duty station is located.
2. Special agents in charge (SACs) shall decide the vehicle type and options to be used for law enforcement personnel assigned to a particular region, pursuant to the approved official LEI requirements set forth in the LEI Vehicle Standards Protocol. This document can be found on the LEI SharePoint.
3. Law enforcement personnel may be authorized the use of an official vehicle for transportation between the employee's residence (home) and official duty station office (work) only when it is determined that home to work transportation is essential for the safe and effective performance of their duties. The use of official or approved undercover vehicles (FSM 5385.21b, FSM 5385.21c, FSM 5385.4 and FSH 5309.11, sec. 27) for home to work travel must be approved through the completion of form AD-728, Request and Authorization for Home to Work Transportation (31 USC 1344, title 41 CFR 101-6.4(c), 41 CFR 102-5.25, and Departmental Regulation 5400-5). The maximum allowable mileage for home to work travel in one direction is 35 miles driving distance. Form AD-728 must be updated and approved every fiscal year or when the home or official duty station changes for all law enforcement personnel. Except as provided in paragraph 5, the Director, LEI shall approve any exception to the 35-mile driving distance limit.
4. Law enforcement personnel who received, an approved form AD-728 authorizing home to work travel in excess of 35 miles in one direction prior to June 30, 2005, will be allowed to continue that mileage exception on a year-by-year basis as approved by the Special Agent in Charge (SAC). The exceptions described in this paragraph may continue unless there is a change of condition such as moving, accepting a different position, or other circumstance including those described in FSM 5385.04(b) (7). When a changed condition occurs and continues to require an exception, the SAC may deny the new exception. Should the SAC recommend approval of the new exception, they should forward the request with their recommendation to the Director, LEI for approval of the form AD-728.
5. Law enforcement personnel with an approved form AD-728, Request and Authorization for Home to Work Transportation, in the absence of misuse, are deemed to be within the scope of Federal employment at all times while driving the authorized vehicle under that authorization.

## **5385.04 – Responsibility**

### **5385.04a - Washington Office, Director of Law Enforcement and Investigations, and Director of Engineering**

It is the responsibility of Washington Office, Director, Law Enforcement and Investigations (LEI) and Director, Engineering to ensure national consistency and uniformity of all Forest Service law enforcement vehicles.

It is the responsibility of the Director, LEI, to:

1. Authorize the use of an official vehicle for transportation by personnel assigned to the Washington Office and Special Agents in Charge between an employee's residence (home) and official duty station office (work) on form AD-728, Request and Authorization for Home to Work Transportation. This authority may be delegated to Washington Office Law Enforcement and Investigations Deputy Directors and Assistant Directors.
2. Authorize for any law enforcement personnel any exceptions to FSM 5385, any home to work requests not covered in FSM 5385, and any new home to work requests exceeding 35 miles (or authorizations issued prior to June 30, 2005, for which changed conditions have occurred).
3. Submit a form AD-728 to the Chief for authorization of the Director, LEI to use an official vehicle for transportation between their residence and place of employment.
4. Ensure that law enforcement personnel assigned to the Washington Office have a sufficient number of properly equipped vehicles.

### **5385.04b - Special Agents in Charge**

It is the responsibility of Special Agents in Charge (SACs) to:

1. Ensure that law enforcement personnel assigned to their respective regions have a sufficient number of properly equipped vehicles.
2. Approve exceptions to the restriction prohibiting seized or forfeited vehicles from being equipped with emergency warning equipment (FSM 5385.4, para. 2b).
3. Ensure that all vehicles assigned to their region meets the minimum approved equipment standards.
4. Ensure that law enforcement personnel possess sufficient radio equipment to ensure 24-hour direct communication with either Forest Service dispatchers or adjacent cooperating law enforcement agencies within the predominant area of operation (FSM 5385.6).

5. Ensure that the installation, type of radios, and frequencies utilized by law enforcement personnel within the region are standardized (FSM 5385.4).
6. Approve the acquisition of radar equipment (FSM 5385.61).
7. Approve form AD-728, Request and Authorization for Home to Work Transportation (FSM 5385.03, para. 8 and para. 9) for law enforcement personnel assigned to the region. For requests that exceed 35 miles driving distance between the employee's residence and official duty station office, SACs are authorized to:
  - a. Review and approve requests on a year-to-year basis for home to work transportation for law enforcement employees who received approval prior to June 30, 2005, for mileage exceeding 35 miles (FSM 5385.03, para. 9) and,
  - b. Amend or cancel the authorization for home to work transportation and/or storage, including those authorizations in paragraph a, above, when employee requirements change (such as, the officer is not able or willing to respond to emergency call-out, officer use or light duty assignment status, officer move, officer re-assignment).
  - c. Refer any request recommended for approval for new exemptions of the 35-mile limit, or for approval of a new exemption arising from a changed condition identified in paragraph b, above, to the Director, LEI for approval.

#### **5385.04c - Supervisory Special Agents and Supervisory Law Enforcement Officers**

It is the responsibility of Supervisory Special Agents and Supervisory Law Enforcement Officers to:

1. Inspect law enforcement vehicles and monitor vehicle use and storage of vehicles assigned to their area of responsibility to ensure compliance with FSM 5385.
2. Correct non-compliance matters as soon as possible, but by no later than the next inspection date.
3. Utilize official vehicles for home to work travel in compliance with FSM 5385 and advise authorizing officers of any change in conditions under which the authorization is based.

#### **5385.04d - All Other Law Enforcement Personnel**

It is the responsibility of all other law enforcement personnel to:

1. Perform required preventative maintenance checks (FSM 7133.03) for the vehicles they drive.
2. Notify their supervisors immediately of any deficiencies.

3. Utilize official vehicles for home to work travel in compliance with FSM 5385 and advise authorizing officers of any change in conditions under which the authorization is based.

### **5385.05 – Definitions**

Law Enforcement Vehicle. The vehicle assigned to law enforcement personnel that meet the requirements set forth in FSM 5385.

Marked Vehicle. A law enforcement vehicle, which has identification and internal or external emergency equipment affixed to it.

Unmarked Vehicle. A law enforcement vehicle, which has no visible markings or visible emergency equipment affixed to it.

### **5385.2 Law Enforcement Vehicle Standards**

The direction for vehicle standards for Marked, Unmarked, and Undercover vehicles are located on the LEI SharePoint. This direction, LEI Vehicle Standards Protocol, provides details for standardized and optional equipment and markings.

#### **5385.21 - Unmarked Vehicles**

Special Agents are authorized to use unmarked vehicles. Special Agents are authorized any color for their assigned unmarked vehicles. Each Special Agent in Charge shall determine any individual needs with respect to additional vehicles and other special requirements. Order unmarked vehicles with the Law Enforcement Package if possible and ensure that they are properly equipped. See LEI Vehicle Standards Protocol and options approved for replacement or fleet additions. This direction can be found on the LEI SharePoint.

Special Needs Vehicle. For vehicles not offered by the General Services Administration Auto Choice that must be purchased for a special need, request approval for the purchase from the Director, LEI. Do not order these vehicles until approval has been granted.

#### **5385.22 - Marked Vehicles**

All Patrol Commanders, Patrol Captains, and Law Enforcement Officers shall be assigned marked vehicles. Each Special Agent in Charge shall determine any individual needs with respect to additional vehicles and special requirements. Order vehicles white in color, with the Law Enforcement Package, if offered, and ensure that they are properly equipped. Follow the direction in the LEI Vehicle Standards Protocol for vehicle markings. The direction can be found on the LEI SharePoint.

### **5385.3 - Seized or Forfeited Vehicles**

1. Coordination. The Special Agent in Charge (SAC) shall coordinate with the Director, LEI the use of vehicles acquired through the asset forfeiture process. A code within the



Equipment Management Information System for inventory purposes of all seized or forfeited vehicles used for law enforcement activities.

2. Guidelines.

- a. Ensure that only law enforcement personnel operate seized or forfeited vehicles and only for law enforcement purposes.
- b. Use seized or forfeited vehicles primarily for undercover operations, surveillance, or in an auxiliary role. Normally, do not equip these vehicles with emergency equipment unless the SAC approves an exception.
- c. Ensure that law enforcement personnel seeking acquisition of forfeited vehicles or initiating asset forfeiture process on a vehicle have a certified mechanic inspect the vehicle to determine its mechanical condition. Complete inspections prior to accepting title to the vehicle.
- d. Ensure that the title to any seized or forfeited vehicle is coordinated by the SAC and the appropriate fleet manager. These vehicles can be categorized as project or WCF. If the vehicle is placed into the Working Capital Fund (WCF), transfer the title or certificate of origin to the WCF.
- e. Charge all costs of operating and maintaining non-WCF seized or forfeited vehicles to project funds if the vehicle is not capitalized.
- f. Maintain non-WCF seized or forfeited vehicles in accordance with State law including normal servicing and inspections.
- g. Dispose of non-WCF seized or forfeited vehicles that have become surplus, or have exceeded their cost/benefit ratio pursuant to State law. Ensure that each SAC coordinates the disposal with the appropriate fleet manager.

**5385.4 - Communication Equipment for Law Enforcement Vehicles**

Special agents in charge (SACs) shall ensure that field-going special agents and law enforcement officers possess sufficient radio equipment to ensure 24-hour direct communication with either Forest Service dispatchers or adjacent cooperating law enforcement agencies within the predominant area of operation.

The SAC shall ensure that the installation, type of radios, and frequencies utilized by law enforcement personnel within the region are standardized (FSM 5385.04b).

Radio frequencies for law enforcement are managed by the regional/national frequency manager (FSM 6640.42). Keep these frequencies confidential and unpublished. See FSM 6641.36 for the policy on programming frequency synthesized radios.

## **5385.5 - Prisoner Transport Equipment for Law Enforcement Vehicles**

### **5385.51 - Unmarked Vehicles**

Unmarked law enforcement vehicles are not intended to be used as a primary prisoner transport unit. However, ensure that they have the necessary equipment to securely and safely transport in-custody prisoners. The transportation equipment should be of such a design that it maximizes officer safety and isolates the prisoner from the officer as much as possible. Whenever possible, prisoners should be transported in a marked vehicle with a secure prisoner transport cage.

### **5385.52 - Marked Vehicles**

All marked vehicles, other than those assigned to Patrol Commanders, will have prisoner transport cages. Use a transportation device that isolates the prisoner from the officer as much as possible: for example, a commercial barrier type screen. Ensure that the screen allows for easy monitoring of the prisoner during transport. See LEI Vehicle Standards Protocol. This direction can be found on the LEI SharePoint.

## **5385.6 - Traffic Enforcement Equipment for Law Enforcement Vehicles**

Traffic enforcement is a necessary function of law enforcement in order to provide for the safety of the public and the protection of the resources. Pursuant to FSM 5302 and 5303, law enforcement personnel shall cooperate with State and local authorities in the enforcement of State and local laws relating to public safety. On National Forest System roads, where public safety demands restrictions on speed or weight that local authorities cannot or should not enforce, needed restrictions may also be imposed under Title 36, Code of Federal Regulations, Part 261, Subpart B, section 54(d).

Only law enforcement personnel trained to appropriate State standards, where they exist, may perform traffic enforcement. Traffic enforcement operations should normally be accomplished in a marked law enforcement vehicle.

### **5385.61 - Radar/Lidar**

Ensure that radar/Lidar operation for speed enforcement is only conducted by law enforcement personnel who have successfully completed the minimum State training requirements. Do not conduct planned radar enforcement operations involving more than one unit without prior notification of the respective supervisory law enforcement officer or patrol commander.

The acquisition of radar/Lidar equipment must be recommended by the appropriate Supervisory Law Enforcement Officer or Patrol Commander and approved by the Special Agent in Charge.

## **5385.62 - Portable Weight Scales**

Operators of portable weight scales shall meet the minimum requirements of State law. Officers conducting portable weight scale enforcement operations may utilize trained non-law enforcement personnel to operate the scales, provided that at least one officer is present at all times.

If possible, involve State and local cooperating agencies in planned weight enforcement operations.

## **5385.63 - Blood Alcohol Content (BAC) Devices**

Law enforcement personnel may not utilize blood alcohol content (BAC) devices unless they have successfully completed training provided by the National Highway Traffic Safety Administration or training required by the State in which the officer's duty station is located. The BAC devices must meet any standards set by the State in which they are predominantly operated. The acquisition of BAC devices must only be made through the appropriate Supervisory Law Enforcement Officer or Patrol Commander and approved by the Special Agent in Charge.

## **5385.7 - Storage of Law Enforcement Vehicles**

Because law enforcement personnel are subject to respond to emergencies and incidents of agency concern while they are off-duty, law enforcement personnel who are assigned a law enforcement vehicle may store that vehicle at their residence, if it is determined that home storage is to the advantage of the Government.

The requesting officer shall complete form AD-728, Request and Authorization for Home to Work Transportation, and forward it for approval to the Director, LEI (for personnel assigned to the Washington Office and Special Agents in Charge (SACs), or to the SAC (for other personnel assigned to a region). Any operation of a vehicle for other than official use is prohibited (Title 7, Code of Federal Regulations, Subtitle A, Part 0.735-17(a) and (b)).

Due to the quantity and nature of equipment that is carried in law enforcement vehicles, store law enforcement vehicles in a secure location. State the storage location clearly on the form AD-728. When possible, choose a storage location, which is out of public view. During storage, keep the vehicle locked at all times. For weapons stored in vehicles see direction in section 5381.03, paragraph 7.

## **5386 – Specialized Equipment**

### **5386.04 – Responsibility**

#### **5386.04a - National Technical Equipment Support Officer**

It is the responsibility of the National Technical Equipment Support Officer in managing technical investigative equipment to:

1. Control administration of national-level technical equipment.
2. Provide program oversight, evaluation, and support on technical issues in the regions.
3. Approve all purchases of consensual monitoring, wireless video transmission systems, and countermeasures equipment.
4. Represent the Forest Service on technical issues to other Federal and State agencies and professional organizations.

#### **5386.04b - Regional Technical Equipment Administrators**

It is the responsibility of regional technical equipment administrators in managing technical investigative equipment to ensure that:

1. All technical investigative equipment that has been stolen, lost, or damaged beyond normal usage is replaced.
2. No repairs or modifications are made to national technical investigative equipment when the equipment is assigned to regions, forests, or districts without the concurrence of the National Tactical Support Officer.
3. Borrowed equipment is not forwarded to another unit or agency.
4. Equipment administration is controlled on a regional level.

#### **5386.1 - Technical Investigative Equipment**

Technical investigative equipment will only be used for law enforcement purposes.

#### **5386.2 - Storage of Technical Investigative Equipment**

Storage and repair of technical investigative equipment must follow manufacture's guidelines.

#### **5387 – Non-Lethal Defensive Equipment**

##### **5387.03 – Policy**

1. Law enforcement personnel are authorized to carry non-lethal defensive equipment.
2. When wearing the official law enforcement field uniform (FSM 6159) and conducting field law enforcement duties, law enforcement personnel shall carry, at a minimum, the following authorized defensive equipment on a standard duty belt with accessories (FSM 5383.1) unless impractical due to field and/or operational conditions:
  - a. Standard handcuffs.
  - b. An electronic control device.

- c. An impact weapon.
  - d. An aerosol subject restraint (optional).
3. Only authorized non-lethal defensive equipment may be carried by law enforcement personnel in which all recertification standards have been met (FSM 5372.2).
  4. Law enforcement personnel shall inspect their non-lethal defensive equipment on a regular basis.
  5. Law enforcement personnel may carry authorized non-lethal defensive equipment off duty.
  6. Law Enforcement and Investigations employees shall not provide non-lethal defensive equipment to forest protection officers or other Forest Service employees.
  7. Impact weapons authorized for mounted enforcement use under FSM 5387.2, paragraph 2 should normally only be carried during special events. Carry must be authorized by the applicable Special Agent in Charge or Incident Commander. Use of these impact weapons must be in compliance with policy in FSM 5372.23.

#### **5387.1 - Equipment Allocation**

Initial issue of Non-lethal defensive equipment will be issued by the National Academy, LEI AD, Training. Replacement of all non-lethal equipment is the responsibility of the regions except ECDs which will be through the National Academy.

#### **5387.2 - Authorized Non-Lethal Defensive Equipment**

Only Forest Service issued non-lethal defensive equipment meeting the criteria in this section is authorized. Other non-lethal defensive equipment may be carried on duty when specifically authorized in writing by the Director, LEI.

See the following for the list of approved non-lethal defensive equipment:

1. Aerosol Subject Restraints.
  - a. Oleoresin capsicum, maximum 10 percent solution, pepper base, aerosol type, flip-top safety top, maximum 4 ounce in size, non-flammable, and American manufactured
  - b. Oleoresin capsicum, maximum 10 percent solution, pepper base, aerosol type, maximum 50 ounce in size, non-flammable, and American manufactured, for crowd control purposes.
2. Impact Weapons.

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- a. Police Baton. Plastic, polymer, nylon, or aluminum construction, perpendicular leverage handle optional, 18 to 26 inches, American manufactured.
  - b. Extendable Police Baton. Plastic, polymer, steel, nylon or aluminum construction, perpendicular leverage handle (optional), 16 to 26 inches open, American manufactured.
  - c. Impact Weapons for Use in Mounted Enforcement. Plastic, polymer, steel, nylon, wood, or aluminum construction, perpendicular handle optional, straight, 36 to 40 inches in length. Impact weapons known as “broken sticks” are not authorized.
  - d. Impact Weapons for Use in Crowd Control Operations. Plastic, polymer, steel, nylon, wood, or aluminum construction, straight, 36 inches in length.
3. Restraining Devices.
- a. Standard Handcuffs. Double-lock capability, stainless steel, nickel, chrome, or black matte finish, American manufactured.
  - b. Disposable Cuffs. Plastic self-locking type or braided nylon.
  - c. Leg Restraints. Standard police type, chain, or nylon.
  - d. Restraining Belt. Standard police type, chain, or leather with metal D ring.
4. Electronic Control Devices (ECDs). Devices designed to disrupt a subject’s central nervous system by means of deploying battery powered electrical energy through projectiles sufficient to cause uncontrolled muscle contractions and override an individual’s voluntary motor responses.
- a. Carry ECDs in an agency approved holster worn on the side opposite the duty firearm. Exceptions may be authorized by the Director, LEI.
  - b. Carry the ECD with an inserted cartridge, power source in place, with the safety on.
  - c. Any ECD, not under the direct physical control of law enforcement personnel, must be reasonably secured at all times.
5. Chemical or Inert Projectile Systems. Oleoresin capsicum (OC) or PAVA projectiles or inert projectiles. Pepperball launchers are the only non-lethal launching system authorized to be carried and used by law enforcement personnel. Only those projectiles that contain OC or PAVA powder or liquid or inert powder or liquid are authorized for use.

6. Crowd Control Equipment. Standard police protective helmet with face shield, other protective equipment such as chest protector, gloves, knee and elbow pads, shin guards, and protective riot shield.

## **5388 – Law Enforcement Tactical and Safety Equipment**

### **5388.1 - Personal Law Enforcement Safety Equipment**

#### **5388.11 - Reflective Vest**

Reflective vests must be high visibility lime green or yellow in color, made of a combination nylon and cool mesh fabric, with the term "Police" in highly visible capitalized black letters on the front and back of the vest.

#### **5388.12 - Protective Search Gloves**

Protective gloves should be used while conducting a search.

## **5389 – Specialized Law Enforcement Operations**

### **5389.03 – Policy**

Specialized Law Enforcement Operations include, but are not limited to:

1. Snowmobile patrol.
2. Marine patrol.
3. Mountain bicycle patrol.
4. Mounted-horse patrol.
5. Off-highway vehicle patrol.
6. K-9 unit.
7. Short-Haul operations.

These operations may require law enforcement personnel to use additional apparel or equipment. Such equipment and apparel must be worn in a manner consistent with established national or regional policy and standards. Class C uniform is the preferred uniform for most Specialized Law Enforcement operations.

#### **5389.1 - Law Enforcement K-9s**

K-9s are authorized for law enforcement patrol and other duties.

### **5389.11 - Selection and Procurement of K-9s**

1. K-9s must meet criteria to be selected for Forest Service LEI.
  - a. Must be a German or Belgian Shepherd, Retriever, or like working/hunting breeds.
  - b. Must pass a general physical examination by a veterinarian familiar with working dogs.
  - c. Must pass approved pre-testing guidelines for temperament and selection criteria provided by the National K-9 Coordinator and approved by the Director, LEI.

Supervisors and Handlers will consult with the National K-9 Coordinator prior to entering any purchase agreement.

The National Coordinator, Regional Coordinator, or K-9 program Evaluator shall assist in the pre-testing and selection recommendations regarding the procurement of a K-9 for a new handler.

K-9s should be purchased from approved vendors who are recognized, licensed, and routinely provide dogs to police agencies. Vendors shall guarantee the successful certification of the dog with the handler and provide for exchange of unsuccessful dogs. When dealing with an unknown or new source, do not make payment until the suitability and soundness of the animal has been determined. No LEI employee who has a fiduciary interest in the breeding, sale, or training of K-9s, in a private capacity, may be involved in the purchase or sale of dogs for LEI.

Personally owned dogs may not be certified for use by the Forest Service.

### **5389.12 - Care of K-9s**

All costs associated with the care, feeding, and veterinary treatment of Government-owned K-9s must be borne by the Government. K-9 Handlers shall be compensated for off-duty time spent in the care, feeding, grooming, and other needs of the dog as provided in the Fair Labor Standards Act. Compensation for off-duty care must be no less than 3.5 hours per week, and no more than 1 hour per day. The K-9 Handler and Supervisor will agree to the amount of time and type of compensation used. Generally, routine reoccurring dog care outside of regular duty hours should be compensated under regularly scheduled overtime while administratively uncontrollable overtime may be utilized in unforeseen situations. If a K-9 is commercially kenneled or not in the Handler's care, overtime shall not be authorized.

1. Routine Veterinary Care
  - a. The Handler will ensure all K-9s receive, at a minimum, one routine veterinary visit annually to include a full exam, vaccinations, preventative medications, and a fit for duty notification.



- b. All K-9s are required to be microchipped and the chip verified by a veterinarian annually. Microchip identification shall be on record and documented within the chain of command.

## 2. Rest

- a. Work-Rest cycles in the field will vary due to environmental conditions, the operational tasks being performed, and the K-9s' current physical/mental condition. Allow K-9s physical and mental recovery from previous operational work. Work-Rest allows K-9s to recover their sustained attention and recuperate quicker for upcoming operational tasks. The following shall be considered in the duration of Work-Rest cycles.
  - (1) The K-9s' fitness, current medication regimes, current hydration, current environmental conditions, and search terrain.
  - (2) Work-Rest periods shall be implemented between significant operational tasks, and work-rest times must be adapted to ambient temperature: e.g., the hotter it is, the longer the rest time.
- b. Preventive Rest:
  - (1) It is recommended that Handlers administer veterinarian approved electrolyte-enriched fluids to the K-9 before performing moderate-intensity exercise in hot or arid climatic conditions.
  - (2) Handlers are encouraged to prepare K-9s for hot and arid climates through repeated exposure and moderate to high-intensity exercise. Preparing the K-9 before operational use in these settings can acclimate and may invoke adaptive cellular responses that lower the risk of heat-related events. Collectively, physical conditioning and acclimation can mitigate heat-related illnesses in operational canines.

## 3. Emergency Medical Care

- a. In the event of a medical emergency, the K-9 shall be transported immediately to a veterinary hospital for treatment.
- b. The Supervisor shall be notified as soon as possible, and the Supervisor shall then notify the Regional Coordinator and their chain of command.
- c. Serious illness or injury that may result in high veterinarian expenses, pose a long-term debilitating or fatal outcome of the K-9, or result in the K-9's death should immediately be reported to their chain of command.
- d. The Supervisor must also coordinate with a purchasing agent in the event the services incur costs over the single purchase limit.

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- e. A veterinary examination record will be submitted to their chain of command advising the nature and prognosis of the illness or injury.
  - f. Before returning for full duty, all K-9s will be required to receive a fit for duty notification from a veterinarian.
  - g. All injuries will be reported in the LEI reporting system with veterinary records attached.
4. Euthanasia, Medical Conditions, Death of K-9
- a. In the event of a K-9 death, the Handler will immediately notify the Supervisor. The Supervisor will notify the Regional K-9 Coordinator and their Command Staff. The Special Agent in Charge shall notify the Assistant Director, Enforcement, and Director, LEI. The Office of Professional Responsibility (OPR) shall be notified and may initiate an investigation to determine if any neglect, abuse, or reckless care contributed to the death of the K-9. No K-9 shall be cremated without the approval of the Director, LEI.
  - b. The K-9 will be left with the veterinarian until OPR can respond. A necropsy may be ordered by OPR to be conducted by a board-certified pathologist who specializes in domestic animals to identify the cause of death and ensure the death was not a result of criminal activity, handler neglect, etc.
  - c. In the event the K-9 is ill, and a veterinarian advises euthanasia as the best course of action, the Handler may seek a second opinion but must coordinate with their chain of command.
  - d. The decision-making process for euthanasia shall be made with veterinary advice and with the involvement of the Handler and their chain of command in the best interest of the K-9's long-term health.
  - e. In the event the K-9 has a long-term illness, uncorrectable condition, or reoccurring injuries that prevents a return to duty within a reasonable amount of time, the K-9 may be medically retired, and ownership transferred as provided in FSM 5389.14.
5. Medications
- a. Any prescribed medications will be administered in accordance with veterinary orders.
  - b. The Handler must ensure safe and secure storage of all medications.
6. Medical and K-9 Records

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- a. Initial K-9 records to include passports will be stored in the LEI Reporting System and at the Regional Office in the K-9's training record to be maintained by the Regional K-9 Coordinator.
  - b. All K-9 medical records will be sent through the chain of command for appropriate review and electronic storage in accordance with federal electronics records storage regulations.
  - c. All medical records shall be stored in the LEI Reporting System.
7. Breeding of K-9s. All government owned K-9s are prohibited from breeding.
8. Unattended K-9

When, due to exigent circumstances, it becomes necessary to leave a K-9 unattended for a short period of time, the following precautions shall be taken:

- a. Steps should be taken to ensure that the K-9 cannot injure itself or others.
  - b. Ensure the K-9 has sufficient shade during warm weather.
  - c. Ensure the K-9 has an adequate supply of water.
  - d. It is essential that the K-9 is checked periodically to ensure it is not in distress.
9. Transport
- a. The K-9 may be transported in another vehicle under exigent circumstances with or without Supervisor approval.
  - b. If a K-9 is left unattended in a K-9 vehicle, the Handler shall have the heat alarm activated with the remote page on their person and tested to ensure it is operational. It is essential that the K-9 is checked periodically to ensure it is not in distress.

10. Housing

- a. All LEI K-9s will be housed at their Handlers' residence in an agency provided kennel.
- b. The K-9s kennel shall be located in an area that does not allow public contact and located to maximize security and safety.
- c. LEI will provide a residential kennel which meets the following minimum standards and has been examined and approved by the Regional and National K-9 Coordinators:

(1) Constructed of material and in a manner that prevents escape or injury.

- (2) Minimum dimension of 4 feet by 10 feet.
  - (3) A floor that prevents escape or injury and can be maintained in a sanitary condition.
  - (4) Covered to prevent escape and provide shade.
  - (5) Containing an insulated doghouse.
  - (6) Providing maximum protection from the elements.
  - (7) Secured with a lock when handler is not present.
  - (8) Equipped with a sign stating “Beware of Dog” posted in a visible location.
- d. When the Handler is temporarily unable to care for the K-9, the Handler in coordination with the Regional K-9 Coordinator shall find appropriate temporary housing for the K-9. Temporary housing expenses should be coordinated with the Handler’s chain of command.
11. Grooming. K-9s shall be groomed and brushed as necessary. K-9s shall be groomed to prevent matting of hair, overgrown toenails, and excessive shedding. K-9 dental care shall be done as directed by veterinary personnel. A daily inspection of the K-9 shall be performed while looking for insect activity, injuries, and/or foreign objects within the skin or hair.
12. Nutrition. Handlers shall feed and provide clean water to their K-9 daily. Food quantity and type should be made with veterinary advice and Food and Drug Administration guidelines.

### **5389.13 - Badges for K-9s**

After a K-9 and Handler have completed their initial certifications by a Forest Service Evaluator, the Special Agent in Charge will submit a request to the National K-9 Coordinator to authorize the issuance of a K-9 badge and credentials to the certified K-9 Team.

At the request of the Special Agents in Charge, the National K-9 Coordinator will provide contact information for a vendor to place the badge in Lucite for presentation to the Handler upon removal of the K-9 from service.

### **5389.14 - Retirement and Transferring of K-9s**

Government-owned K-9s are considered property of the U.S. Government. When it is determined, either because the K-9’s age, acute or chronic physical illness, behavioral issues that prevent a K-9 from performing all career-related activities safely and proficiently, or the

SAC deems the K-9 is excess property, the Forest Service K-9 should be removed from service. The K-9 may be:

1. Retired and given to its Handler pursuant to Agency guidelines set forth in Public Law 105-27, section 203, paragraph (r).
2. Transferred to another law enforcement agency pursuant to Agency property guidelines, or individual or organization specializing in the care of retired/former K-9s.
3. Taken to a kennel or veterinarian to be euthanized, with the approval of the Director, LEI.
4. Once the K-9 is retired and property transferred to the Handler or another agency, all costs and medical needs associated with the K-9 are transferred to the Handler, receiving agency, or individual or organization specializing in the care of retired/former K-9s.
5. The K-9's new owner agrees to diligently care for the K-9 in a humane and responsible manner and provide vaccinations and health care, including veterinary care, among other needs.
6. In the event a Handler retires or is otherwise unable to continue their duties as a Handler/Officer, the chain of command will consult with the National K-9 Coordinator and Assistant Director before deciding the placement or retirement of the K-9. If the K-9 is 5 years of age or younger, a medical, behavioral (temperament or presentation), or in the best interest of the agency, justification must be made before retirement is considered.

Public Law 105-27, section 203, paragraph (r), authorizes that the head of a Federal agency having control of a canine that has been used by a Federal agency in the performance of law enforcement duties, that has been determined by the agency to be no longer needed for official purposes, may donate the canine to an individual who has experience handling canines in the performance of those duties.

See the FSH 6409.31, Federal Property Management Regulations, for additional direction on animal transfer and disposal.

### **5389.15 – K-9 Specialized Equipment**

Specialized equipment needed for the care, maintenance, and training of the K-9 Team shall be purchased at Government expense with Supervisor's approval. This equipment remains Government property and shall be tracked and documented in accordance with Forest Service policy. All narcotics used for training aids shall be acquired and possessed in accordance with applicable law and regulation.

**5389.15a - Mandatory Equipment**

1. Food, supplements, and medication.
2. Leashes of various lengths.
3. Collars.
4. Food and water dishes including heated no-freeze units and no-spill vehicle dishes.
5. Brushes, combs, nail clippers, bathing products, and/or other grooming tools.
6. Toys such as balls, kongs, towels, and so forth.
7. Bite sleeve and hidden bite sleeve.
8. K-9 housing components in accordance with 5389.12, section 10.
9. Secure locking storage for narcotics training aids.
10. Bite suit.
11. Agitation muzzle.
12. Collapsible Kennel
13. Tracking harness.
14. Pooper scooper and poop bags.