



Federal Law Enforcement: Training Programs on De-escalation and the Use-of-Force, Police Community Relations, Protection of Civil Rights, and Participation in the National Use-of-Force Data Collection

Introduction

Division G of the Explanatory Statement that accompanied the Consolidated Appropriations Act, 2022 (Public Law 117-43), included language that directed the Forest Service: 1) to consult with the Attorney General regarding the implementation of evidence-based training programs on de-escalation and the use-of-force, as well as police community relations and the protection of civil rights; and 2) provide details on the Forest Service's efforts to participate in the National Use-of-Force Data Collection.

Consultation with the Department of Justice Office of the Attorney General

The Forest Service initiated consultation with the Office of the Attorney General December 16, 2022 to discuss the implementation of evidence-based training programs on de-escalation and the use-of-force, and police community relations and the protection of civil rights. These discussions are expected to be completed this year.

Training Programs on De-escalation, Use-of-Force, Police Community Relations, and the Protection of Civil Rights

Forest Service Law Enforcement and Investigations (LEI) conducts mandatory training for all sworn law enforcement officers using multiple resources. All new Forest Service law enforcement officers are required to complete Crisis Intervention Team (CIT) training within one year of completing the Field Training and Evaluation Program¹, and are encouraged to complete CIT refresher courses every five years after initial certification. CIT training includes recognizing the signs of mental illness, appropriate use of de-escalation techniques, as well as promote the use of non-standard techniques, such as limited use of force and non-law enforcement intervention, such as mental health referrals to resolve issues.

All Forest Service law enforcement officers complete mandatory, self-paced online training, hosted by Police One Academy², that include, in part, courses on civil rights, community policing, implicit bias, and use-of-force. Additionally, since 2020, localized in-person mandatory quarterly training sessions conducted by Forest Service LEI instructors on defensive tactics and firearms qualifications have integrated training in these topics.

The Forest Service is also a partner organization with the Department of Homeland Security's Federal Law Enforcement Training Center (FLETC). The LEI National Academy, at the FLETC, has developed instructor guides for control tactics and firearms training sessions to incorporate de-escalation and use of force concepts since late-2020. These guides cover the required topics and concepts each instructor must minimally cover during the mandatory sessions to re-certify officers and are updated twice each calendar year. All new law enforcement officers

¹ The Field Training and Evaluation Program is designed to develop and retain trained law enforcement professionals capable of reacting safely and professionally in real-life situations. The program's intent is to transition law enforcement professionals from an academic setting to performing duties in the field.

² <https://www.policeoneacademy.com/>



are required to complete the Land Management Police Training Program (LMPT), and all agents are required to complete the Criminal Investigator Training Program (CITP). Many officers and agents also complete advanced courses at FLETC for specialized skills and instructor training, which include de-escalation, police community relations, and the protection of civil rights. Since late 2010s, FLETC training has included a holistic approach to incorporate de-escalation, community relations, and civil rights concepts in their curriculum. In December 2022, FLETC implemented an improved de-escalation curriculum for the Use-of-Force Instructor Training Program (UOFITP), which will be included as part of the LMPT curriculum starting in the third quarter of fiscal year 2023.

Since 2021, law enforcement officers in the Land Management Police Training Program are required to complete a two-day training that includes two hours of civil rights and ethics. Additionally, in 2021, Forest Service LEI implemented a post-basic training course titled Basic Patrol Officer for graduates of the LMPT that includes four hours of civil rights and ethics and two hours of community relationships, both of which includes components on de-escalation and reasonable use-of-force initially taught during LMPT.

LEI has also recently updated Forest Service Manual and Handbook (Policy)³ to include policy requiring use of force reporting and a duty to intervene, as well as the direction for the use of body-mounted video recording devices, commonly known as Body-Worn Cameras (BWCs). BWCs have been fully implemented throughout the organization for field-going officers and agents in LEI since 2020. LEI was the first federal agency to fully implement a BWC program.

On October 31, 2022, Forest Service LEI issued and implemented a letter of direction to all law enforcement officers, based on direction detailed in Executive Order 14074⁴, regarding the banning of chokeholds and carotid restraints, except where the use of deadly force is authorized by law, and the limited use of unannounced, or no-knock, entries. This direction was issued in the form of a Director's Letter pending Office of Personnel Management (OPM) and Department of Justice (DOJ) direction on the process to fully implement these changes into our policy via directive revision. Forest Service LEI is committed to implementing any future relevant training from the Office of the Attorney General as it becomes available.

Participation in the National Use-of-Force Data Collection

In June 2021 Forest Service LEI upgraded its record and reporting database to the Law Enforcement and Investigations Reporting System (LEIRS). This cloud-based system is compliant with all federal data standards, including the National Instant Criminal Background Check System and National Incident Based Reporting System, and allows for compliance with the Federal Bureau of Investigation's National Use-of-Force Data Collection requirement. Forest Service LEI uses this database to report all applicable use-of-force incidents monthly since CY 2020.

³ The Forest Service Manual and Handbook can be located at this website (<https://cms.fs.usda.gov/directives/list>) Federal Law Enforcement Directives are all under the 5300- Law Enforcement section.

⁴ Executive Order 14074 – Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety (<https://www.presidency.ucsb.edu/documents/executive-order-14074-advancing-effective-accountable-policing-and-criminal-justice>).