

# GAO Highlights

Highlights of [GAO-23-105927](#), a report to congressional addressees

## Why GAO Did This Study

On May 25, 2022, Executive Order 14,074 required the heads of federal law enforcement agencies, including DHS, to ensure their agencies' use of force policies reflect principles of valuing and preserving human life and meet or exceed DOJ's use of force policy.

A provision in the Joint Explanatory Statement accompanying the Consolidated Appropriations Act, 2022, directed GAO to review issues related to DHS law enforcement officers' use of force. GAO was also asked to review DHS's related policies and practices. This report discusses DHS's use of force policies, training, data collection and analysis, and how DHS reviews incidents.

To address these topics, GAO selected four DHS agencies with a primary mission related to law enforcement and that employ the highest number of law enforcement officers: CBP, FPS, ICE, and Secret Service. GAO reviewed agency directives and guidance, as well as internal and published use of force incident reports from fiscal years 2021 and 2022. GAO also interviewed agency officials and officials from a nongeneralizable sample of organizations with knowledge of law enforcement use of force.

## What GAO Recommends

GAO is making two recommendations to DHS to (1) provide guidance on how its component agencies submit data to DHS for the range of scenarios when force was used multiple times, and (2) develop and implement a plan with time frames for analyzing the use of force data its agencies submit. DHS agreed with GAO's recommendations.

View [GAO-23-105927](#). For more information, contact Gretta L. Goodwin at (202) 512-8777 or [goodwin@gao.gov](mailto:goodwin@gao.gov).

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## LAW ENFORCEMENT

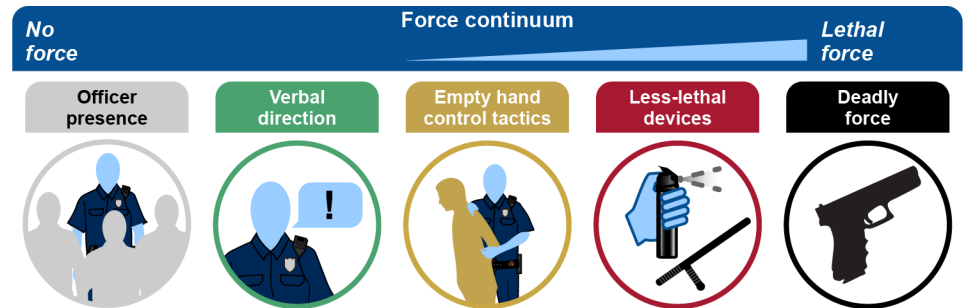
# DHS Should Strengthen Use of Force Data Collection and Analysis

## What GAO Found

In February 2023, the Department of Homeland Security (DHS) amended its use of force policy to align with the Department of Justice's (DOJ) policy. For example, DHS's policy introduced restrictions on chokeholds and carotid restraints. DHS officials said U.S. Customs and Border Protection (CBP), Federal Protective Service (FPS), U.S. Immigration and Customs Enforcement (ICE), and the U.S. Secret Service (Secret Service) are required to update their use of force policies as needed to be consistent with DHS's policy.

DHS law enforcement officers generally receive basic use of force training at the Federal Law Enforcement Training Centers. Officers also receive recurring agency training that covers use of force, firearms, and less lethal devices. DHS agencies use electronic systems to track officers' training.

### Force Continuum



Sources: GAO analysis of agency policies; GAO (illustrations). | GAO-23-105927

While DHS requires the four agencies GAO reviewed to submit data on uses of force, the data submitted to DHS undercount the frequency that officers used force against subjects. For example, agencies sometimes submitted data to DHS that counted multiple reportable uses of force as a single "incident." Providing guidance on how agencies should submit data to DHS for the range of scenarios when force was used multiple times would enhance DHS's ability to oversee use of force activities across its agencies.

DHS officials stated that analyzing the use of force data would help guide future policy decisions, but DHS has not developed a plan to analyze the data. Developing and implementing a plan, with time frames, for how it will analyze its use of force data will enable DHS management to more effectively assess use of force activities, conduct meaningful trend analysis, and take any appropriate steps to strengthen its oversight activities.

The four DHS agencies have review boards to analyze uses of force from the perspective of training, tactics, policy, and equipment; identify trends and lessons learned; and propose any necessary improvements to policies and procedures. Boards that were in operation in fiscal years 2021 and 2022 found that most use of force incidents they reviewed aligned with agency policy. Agencies have applied lessons learned from reviews in various ways, such as revising policy and training.