



U.S. Immigration
and Customs
Enforcement

MEMORANDUM FOR:

Assistant Directors
Deputy Assistant Directors
Special Agents in Charge
Attachés

MAY 14 2014

FROM:

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Executive Associate Director
Homeland Security Investigations

SUBJECT:

Implementation of the Use of Force Review Committee (UFRC)

Purpose:

In an effort to ensure U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) Special Agents are receiving sufficient training and support regarding use of force issues, the Executive Associate Director (EAD), HSI, has established an HSI Use of Force Review Committee (UFRC). This committee, comprised of subject matter experts, will serve as an advisory panel for the EAD and will be responsible for reviewing all HSI reportable use of force incidents in order to determine if there is a need for modifications to tactics, training and/or policies and procedure regarding such matters.

Background:

Due to the number of use of force incidents over the past few years, senior field managers and senior headquarters management have discussed the need for a formal mechanism to effectively review use of force incidents and evaluate the need, if any, for modifications to the training, planning, execution or post incident response to operations.

Discussion:

The UFRC will convene at the request of the Deputy Assistant Director (DAD), Investigative Services Division (ISD), and will be responsible for conducting a review of any "Reportable Use of Force Incidents" (defined in the Interim ICE Use of Force Policy and Interim ICE Firearms Policy as any reportable discharge of a firearm, use of hard technique, chemical agent, or impact weapon). The UFRC will conduct a comprehensive analysis of the use of force incident, review any written reports regarding the incident and interview any participants, if warranted, in coordination with the Office of Professional Responsibility (OPR).

The UFRC will consist of the following subject matter experts and stake holders:

- A certified firearms instructor
- A certified defensive tactics instructor
- (b) (7)(E) Special Agent (current or former)
- An HSI Special Response Team (SRT) certified operator (current or former)
- A GS-14 with first-line field supervisory experience
- A GS-15 with second-line field supervisory experience

The following topics will be examined and documented, as applicable, by the UFRC:

- Planning/Preparation
- Training
- Execution
- Post Incident Response.

Once the review is completed by the UFRC, a summary of the incident as well as any deficiencies discovered in operational planning, training, tactics or equipment that may have adversely affected (or potentially affected) the outcome of the incident, will be provided to the EAD via the DAD ISD. Additionally, the UFRC will include any and all recommendations needed to correct any identified deficiencies. The DAD ISD will then coordinate with the appropriate HSI senior field manager to correct any identified deficiencies.

Action:

When submitting documentation of a use of force incident to OPR and the Office of Firearms and Tactical Programs, such documentation shall also be sent to (b)(6)(7)(C)@ice.dhs.gov. Questions regarding the UFRC may be directed to National Program Manager (b)(6)(7)(C) at 703-235-(b)(6)(7)(C) or at (b)(6)(7)(C)@ice.dhs.gov.