



FOR IMMEDIATE RELEASE

September 26, 2023

## DOJ OIG Releases Report on DOJ Law Enforcement and Corrections Components' Use-of-Force Policies

Department of Justice (DOJ) Inspector General Michael E. Horowitz announced today the release [of a report](#) examining use-of-force policies across DOJ's law enforcement and corrections components and their alignment with DOJ guidance. In 2021, following certain high-profile use-of-force incidents involving law enforcement, DOJ issued guidance limiting the use of chokeholds and the carotid restraint technique, as well as the execution of high-risk "no knock" warrants by DOJ law enforcement and correctional officers. In 2022, the DOJ updated its 18-year-old use-of-force policy to include new requirements related to de-escalation, the affirmative duty to intervene, and the affirmative duty to render aid.

The DOJ Office of the Inspector General (OIG) found that the Bureau of Alcohol, Tobacco, Firearms and Explosives, Drug Enforcement Administration, FBI, Federal Bureau of Prisons (BOP), and U.S. Marshals Service (USMS) made substantial progress towards updating their policies and training to align with DOJ's updated guidance. However, we also identified certain policy gaps and areas in which DOJ should evaluate inconsistencies in components' interpretation and application of DOJ's use-of-force guidance.

The OIG's findings included the following:

- **DOJ Should Formalize Its 2021 Restraint and "No Knock" Guidance.** While DOJ promptly incorporated its 2022 updated use-of-force policy into official DOJ guidance, it has yet to formalize the ban on chokeholds and carotid restraints and restrictions on "no knock" warrants in a more permanent DOJ directive.
  - **The BOP Should Coordinate with DOJ and Reevaluate Its Policies.** DOJ created a gap in its use-of-force policy when it did not include language specific to custodial situations in its updated policy and did not clarify which use-of-force requirements were applicable in the prison context. As a result, the BOP's efforts to align its policies with DOJ requirements on the use of deadly force may have been imprecise. The BOP's policies also do not explicitly restrict the use of chokehold and carotid physical restraint techniques or address situations when BOP personnel are in contact with the public, such as when teams are deployed outside of a prison in emergency situations. .
  - **The USMS Should Finalize and Disseminate Internal Policies for "No Knock" Warrants.** The USMS has not issued formal policy incorporating DOJ's limitations on the execution of "no knock" warrants, although the USMS did take interim steps to ensure its personnel were aware of DOJ's updated guidance.
  - **DOJ Should Evaluate the Consistency of Policy Application and Interpretation of Requirements.** Components differed in whether they chose to apply their use-of-force policies to task force officers and contractors acting in a law enforcement capacity, which could pose certain
-

operational and legal risks if law enforcement officers working together on DOJ operations are following different use-of-force standards. DOJ should evaluate these differences to mitigate any associated risks. Additionally, DOJ should review components' implementation of the policy requirements into training to ensure a consistent understanding of DOJ's use-of-force standards across all DOJ law enforcement and correctional officers.

The DOJ OIG made six recommendations to ensure that DOJ component use-of-force policies are in alignment with DOJ requirements and expectations. The components agreed with all six recommendations.

**Report:** Today's report can be found on the OIG's website at the following link:

<https://oig.justice.gov/reports/audit-department-justices-law-enforcement-and-corrections-components-use-force-policies>

###