

Department of the Interior Departmental Manual

Effective Date: 10/4/00

Series: Law Enforcement and Security

Part 446: Law Enforcement

Chapter 1: Policy and Responsibilities

Originating Office: Office of Managing Risk and Public Safety

446 DM 1

1.1 **Purpose.** The purpose of Part 446 is to maintain effective and efficient professional law enforcement (LE) programs within the Department of the Interior to comply with applicable laws and regulations and to discharge the Secretary's authority, which may be delegated through Assistant Secretaries to the bureau and office heads. These directives and standards implement statutory provisions, Public Law, and regulations relating to Federal law enforcement. The Departmental Law Enforcement Official will be provided with a copy of all supplemental policies or instructions developed by bureau and office Law Enforcement Administrators prior to release or publication.

1.2 **Contents of Part 446.** The chapters published herein provide Department-wide standards for law enforcement. A table of contents is provided immediately following this chapter as Appendix 1.

1.3 **Scope.** Part 446 governs the programs and activities in the bureaus and offices of the Department with legislated statutory law enforcement authority. Nothing in this Part is intended to eliminate or modify any requirement established by law or Executive Order.

1.4 **Definitions.** For the purpose of interpreting the provisions of this Part, the following terms and meanings apply:

A. **Law Enforcement Program.** The Department's program is to provide law enforcement and protective services in a consistent, efficient, and effective manner through the activities of each of the bureaus and offices with law enforcement authority. The activity is directed toward the preservation of public order, safety, protection of resources, and tranquility.

B. **Departmental Law Enforcement Official.** The designated official in the Office of the Secretary who is responsible for promulgation of policy, standards, and responsibilities. He/she also coordinates and monitors implementation of all Departmental law enforcement programs.

C. **Law Enforcement Administrator (LEA).** The designated official in a bureau or office who directs one or more law enforcement units. The law enforcement administrator develops the policy, procedures, and standards for the law enforcement program within the bureau or office. The law enforcement administrator must provide for inspection and oversight in order to control enforcement activity.

D. Senior Law Enforcement Official (SLEO). A professional law enforcement manager who is trained and experienced in the supervision of law enforcement programs of a unit. This official is thoroughly knowledgeable of directives, laws, standards, and practices that govern applicable Federal law enforcement programs.

E. Law Enforcement Officer. A person who has entered the Federal service through established selection criteria, has received professional training according to published standards and has been commissioned or sworn to perform law enforcement duties. Annual law enforcement in-service training to update his/her skills and knowledge is mandatory.

F. Law Enforcement Unit. A law enforcement program within the Bureau of Indian Affairs (BIA), Bureau of Land Management (BLM), Bureau of Reclamation (BOR), Fish and Wildlife Service (FWS), and National Park Service (NPS). All law enforcement units must be established with the concurrence of the Assistant Secretary - Policy, Management and Budget.

G. Law Enforcement Equipment. Law enforcement personnel require certain equipment as tools of their profession, such as service firearms, handcuffs, batons, defensive chemical agents, motor vehicles, radios, soft-body armor, helmets, and distinctive uniforms. The procurement of such equipment shall be afforded special consideration notwithstanding budgetary restrictions and economy-related goals.

1.5 **Policy.** The policy of the Department is as follows:

A. To maintain effective and efficient professional law enforcement programs within the Department of the Interior. The Department shall meet its law enforcement responsibilities by establishing and promoting an effective law enforcement program, ensuring the protection of human life, personal property and the Nation's natural resources.

B. To entrust law enforcement authority only to law enforcement professionals possessing adequate education and/or experience, aptitude and high moral character.

C. To maintain a continuing review and evaluation of existing law enforcement programs and operations to ensure compliance with applicable Federal laws, regulations and Part 446 of the Departmental Manual.

D. To ensure that qualitative standards are attained and maintained by each law enforcement bureau/office.

E. To increase the effectiveness of law enforcement through the efficient handling and exchange of criminal information by exchanging law enforcement information between Federal, State, and local law enforcement agencies.

F. To provide the public prompt access to information concerning its law enforcement program in accordance with the spirit and intent of the Freedom of Information Act, 5 U.S.C 552; Departmental FOIA Regulations, 43 CFR 2; and 383 DM 15, Freedom of Information Act Handbook.

G. To ensure that the use of force shall comply with 446 DM 20, Use of Force.

1.6 **Responsibilities.** This section prescribes responsibilities for developing and maintaining the Departmental law enforcement program at each level of management.

A. The Assistant Secretary - Policy, Management and Budget (AS-PMB). The AS-PMB provides management direction and support for all LE programs through Department-wide policies, standards and guidelines for the law enforcement activities of the Department. These policies are developed in consultation with those bureaus or offices where statutory law enforcement authority exists.

B. The Deputy Assistant Secretary - Policy and International Affairs. The Deputy Assistant Secretary - Policy and International Affairs is responsible for oversight of the Departmental law enforcement program. He/she reviews policy prior to implementation, makes recommendations to the AS-PMB, and provides oversight and guidance to the Director, Office of Managing Risk and Public Safety (MRPS).

C. The Director, Office of Managing Risk and Public Safety, is designated as the Departmental Law Enforcement Official. The Departmental Law Enforcement Official shall provide the policy, procedures, standards, and coordination necessary to guide all law enforcement programs and maintain oversight and controls through a standardized inspection program. He/she will serve as the official Departmental law enforcement representative when meeting with other Department-level law enforcement representatives. He/she coordinates activity among law enforcement units and monitors the law enforcement program of each bureau or office for compliance with policy and standards. The Office of Managing Risk and Public Safety shall provide advance approval and clearance for candidates selected for bureau or office law enforcement administrators.

D. Bureaus and Offices. Bureau and office heads that administer law enforcement programs are responsible for implementing and enforcing the policies and standards of Part 446 DM and developing any additional policies necessary for the successful accomplishment of their law enforcement responsibilities. This includes, but is not limited to, the following:

(1) Designating a Law Enforcement Administrator and Senior Law Enforcement Officials with authority to discharge the principles outlined in 446 DM 1.5.

(2) Ensuring that the Office of Managing Risk and Public Safety provides advance approval and clearance for candidates selected for bureau or office Law Enforcement Administrators.

(3) Ensuring that all suitability background investigations are conducted and security clearances are provided, as necessary.

(4) Ensuring that all law enforcement officers are properly trained and receive necessary commissioning with credentials for identification.

(5) Ensuring that policy, procedures, and standards are developed to direct the law enforcement units, and that management controls are in place to properly oversee the implementation of the law enforcement program.

(6) Providing necessary communication, coordination, and statistical reporting

responses to the Departmental Law Enforcement Official.

E. Law Enforcement Administrator (LEA). A Law Enforcement Administrator of a bureau or office must promulgate mission-oriented policy, procedures and standards, and provide oversight in order to direct law enforcement unit(s) within the organization. The law enforcement administrator must provide for inspection and oversight in order to control enforcement activity.

F. Senior Law Enforcement Official. The Senior Law Enforcement Official of a law enforcement unit is responsible for implementing laws, policy, procedures, standards and providing operational direction. He/she is responsible for directing an effective and efficient law enforcement program.

G. Law Enforcement Officer is required to abide by established standards of conduct, performance, and ethics.

1.7 Procedures. All law enforcement functions and programs within the Department shall adhere to the following principles:

A. The organizational structure of a bureau or office with statutory law enforcement authority shall provide for control, accountability, coordination, and clear lines of authority and communication. This organizational structure shall apply both within the law enforcement unit(s), and between the law enforcement unit and upper-level management.

B. Each bureau or office shall develop and implement review and evaluation/inspection programs to ensure compliance with law, regulation, and Departmental policy.

C. Only law enforcement officers shall be entrusted to discharge law enforcement duties.

D. Each law enforcement officer shall be issued law enforcement identification/credentials and be authorized to exercise their official authority consistent with applicable laws, regulations, and the Secretary's policy, procedures, and standards found in Part 446 of the Departmental Manual.

E. Law Enforcement Units shall develop minimum standards for equipment and shall conduct an annual review and update standards as necessary.

F. For those personnel required to wear uniforms, more than one type of uniform may be authorized by the Law Enforcement Administrator for the law enforcement unit, provided standards for its use are prescribed in writing. The uniform must display distinctive identification to ensure that law enforcement personnel shall be distinguishable from non-law enforcement personnel and can be easily recognized as law enforcement officers by the public.

G. The force used will comply with Departmental policy. (See 446 DM 20).

H. Mutual aid assistance for law enforcement with another Federal, State, or local agency is encouraged where authorized and should be in writing where practical. Mutual aid assistance is to be used when a determination has been made by the law enforcement administrator or designee that circumstances exist beyond the capability of the law enforcement

unit.

I. Each law enforcement unit shall develop and implement an automated statistical management reporting system that will be responsive to the unit's needs, those of the Department, and in compliance with applicable laws.

Appendix 1

TABLE OF CONTENTS (446 DM)

CHAPTER 1:	Policy and Responsibilities
CHAPTER 2:	Personnel Qualifications and Standards
CHAPTER 3:	Policy Compliance Evaluation
CHAPTER 4:	Emergency Assistance
CHAPTER 5:	Victim and Witness Assistance
CHAPTER 6:	Operation of Detention Facilities
CHAPTER 7:	Evidence Handling and Storage
CHAPTER 8:	Interception of Verbal Communications
CHAPTER 9:	Case Management Standards
CHAPTER 10:	Firearms and Other Defensive Equipment
CHAPTER 11:	Carrying of Firearms on Airlines
CHAPTER 12:	Equipment and Vehicles
CHAPTER 13:	Statistical Information Systems
CHAPTER 14:	Computerized Criminal Information Systems
CHAPTER 15:	Records System
CHAPTER 16:	Communications Systems
CHAPTER 17:	Reporting of Serious Incidents
CHAPTER 18:	Emergency Response and Pursuit Driving
CHAPTER 19:	RESERVED
CHAPTER 20:	Use of Force
CHAPTER 21:	Use of the Polygraph and Polygraph Examinations

10/4/00 #3326

Replaces 9/21/93 #2985