

United States Senate
WASHINGTON, DC 20510

June 18, 2019

The Honorable Dan Smith
Acting Director
National Park Service
Department of the Interior
1849 C Street, NW
Washington, D.C., 20240

Dear Acting Director Smith:

We are writing to request information from the National Park Service (NPS) and the United States Park Police (USPP) regarding updated policies on the use of force. We appreciate your February 2019 response to Senator Warner regarding strengthening police-community relations. As noted in the previous letter, police departments across the nation have been implementing new training and departmental policy changes and in particular, changes focusing on increasing transparency and accountability.¹ We appreciate that in your response, you provided resources including a 1998 General Order on the Use of Force, a 2016 in-service training update, and presentation slides on departmental plans and procedures.² However, we write to you today requesting further information on the agency's most up-to-date use of force policies and its enforcement of those policies.

As you know, our communities are safer when law enforcement and the people they protect can trust and hold each other accountable. Officer-involved shootings and the use of excessive force, which have led to criminal investigations and prosecutions, demonstrate that there is still work to do in order to strengthen police-community relations.

A 2016 study by the Use of Force Project found that policies requiring comprehensive use of force reporting and for law enforcement to exhaust all other means before using deadly force were associated with reduced officer-involved fatalities.³ It is our hope that the National Park Service and the U.S. Park Police actively examine ways to update use of force policies and best practices, particularly following the fatal shooting by Park Police of Virginia resident Bijan Ghaisar, in Fairfax County, Virginia.

¹ Letter from Mark Warner, U.S. Senator, to Daniel Smith, Acting Director, National Park Service (Oct. 19, 2018) (on file with author).

² Letter from Daniel Smith, Deputy Director, Exercising the Authority of the Director, National Park Service, to Mark Warner, U.S. Senator (Feb. 15, 2019) (on file with author).

³ "Police Use of Force Policy Analysis," Use of Force Project, Campaign Zero. (September 20, 2016), *available at*: <http://static1.squarespace.com/static/56996151cbced68b170389f4/t/57e1b5cc2994ca4ac1d97700/1474409936835/Police+Use+of+Force+Report.pdf>

In order for us to better understand the current policies relating to the use of force, please respond to the following questions:


1. Can you confirm that the 1998 General Order on the use of force policy is still in effect today? Have there been any updates or changes since then?
2. What is USPP procedure for conducting internal investigations of police-involved shootings?
3. Will USPP conduct an internal review of the officers' conduct in Bijan Ghaisar case (outside of external investigations)? If not, please explain.
 - a. Will USPP review its current pursuit policies?
 - b. What is the current operational status of these officers?
 - c. How long were/have they been on administrative leave?
 - d. On what basis did USPP withhold their identity from the public for more than a year?
4. In addition to responding to these questions, please provide a copy of the most current use of force policy, and a copy of the most current pursuit policy.

We appreciate the National Park Service's willingness to take a close look at concerns regarding the use of force and look forward hearing back from you by July 2, 2019. Should you have further questions please contact Dario Camacho in Senator Grassley's office at 202-224-3744 or Courtney Lam in Senator Warner's office at 202-224-2023.

Sincerely,



Mark R. Warner
United States Senator



Charles E. Grassley
United States Senator