

**DHS Component
Collaboration on Law
Enforcement Virtual
Training Is Limited**





OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

September 15, 2022

MEMORANDUM FOR: The Honorable Alejandro Mayorkas
Secretary

FROM: Joseph V. Cuffari, Ph.D. **JOSEPH V CUFFARI** Digitally signed by
Inspector General JOSEPH V CUFFARI
Date: 2022.09.13
13:13:36 -04'00'

SUBJECT: *DHS Component Collaboration on Law Enforcement
Virtual Training Is Limited*

Attached is our final report, *DHS Component Collaboration on Law Enforcement Virtual Training Is Limited*. We incorporated the formal comments provided by the Department.

The report contains six recommendations aimed at improving the Department's use of law enforcement virtual training simulators. The Department concurred with all six recommendations. Based on information provided in your response to the draft report, we consider recommendation 3 open and unresolved. As prescribed by the Department of Homeland Security Directive 077-01, *Follow-Up and Resolutions for the Office of Inspector General Report Recommendations*, within 90 days of the date of this memorandum, please provide our office with a written response that includes your (1) agreement or disagreement, (2) corrective action plan, and (3) target completion date for the recommendation. Also, please include responsible parties and any other supporting documentation necessary to inform us about the current status of the recommendation. Until your response is received and evaluated, the recommendation will be considered open and unresolved. Based on information provided in your response to the draft report, we consider recommendations 1, 4, 5, and 6 open and resolved. Once your office has fully implemented the recommendations, please submit a formal closeout letter to us within 30 days so that we may close the recommendations. The memorandum should be accompanied by evidence of completion of agreed-upon corrective actions and of the disposition of any monetary amounts. Recommendation 2 is resolved and closed. Please send your response or closure request to OIGAuditsFollowup@oig.dhs.gov.

Consistent with our responsibility under the *Inspector General Act of 1978, as amended*, we will provide copies of our report to congressional committees with oversight and appropriation responsibility over the Department of Homeland Security. We will post the final report on our website for public dissemination.

Please call me with any questions, or your staff may contact Bruce Miller, Deputy Inspector General for Audits, at (202) 981-6000.

Attachment

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DHS OIG HIGHLIGHTS

DHS Component Collaboration on Law Enforcement Virtual Training Is Limited

**September 15,
2022**

Why We Did This Audit

We conducted this audit to determine the extent to which DHS law enforcement components collaborate and leverage resources for virtual training.

What We Recommend

We made six recommendations to improve DHS' collaboration and leveraging of resources for virtual training.

For Further Information:

Contact our Office of Public Affairs at (202) 981-6000, or email us at DHS-OIG.OfficePublicAffairs@oig.dhs.gov

What We Found

Department of Homeland Security component collaboration on law enforcement virtual training simulators is limited. Specifically, components are not always aware of other DHS components' research, purchases, capabilities, or availability of law enforcement virtual training simulators. DHS' September 2018 use of force policy requires that the Office of Strategy, Policy, and Plans, working in consultation with DHS components employing law enforcement officers and agents (LEOs), establish a DHS Use of Force Council to provide a forum by which components can share lessons learned regarding use of force policies, training, and oversight. DHS has experienced delays and challenges implementing initiatives that may lead to better collaboration and leveraging of resources across the Department. In September 2021, DHS established the Law Enforcement Coordination Council, which coordinates department-wide law enforcement related matters on training and policy. However, this and other initiatives did not always include all relevant offices and components, such as the Federal Emergency Management Agency. Without additional coordination on virtual training activities, DHS faces challenges training LEOs and may limit potential cost savings.

Additionally, United States Secret Service does not have a system to track use of force incidents. According to DHS' use of force policy, "DHS components employing LEOs shall establish internal processes to collect and report accurate data on component use of force activities." Without a system to track use of force incidents, Secret Service is unable to efficiently assess use of force activities, conduct meaningful trend analysis, or take appropriate corrective actions, such as providing additional training.

DHS Response

DHS concurred with all six recommendations.



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Abbreviations

CBP	U.S. Customs and Border Protection
CGIS	Coast Guard Investigative Service
Coast Guard	United States Coast Guard
FEMA	Federal Emergency Management Agency
FLETC	Federal Law Enforcement Training Centers
FPS	Federal Protective Service
ICE	U.S. Immigration and Customs Enforcement
IPT	Integrated Product Team
LECC	Law Enforcement Coordination Council
LEO	law enforcement officer or agent
MGMT	Management Directorate
MLE	Coast Guard Maritime Law Enforcement
OCRSO	Office of the Chief Readiness Support Officer
OCSO	Office of the Chief Security Officer
PLCY	Office of Strategy, Policy, and Plans
S&T	Science and Technology Directorate
Secret Service	United States Secret Service
TSA	Transportation Security Administration
WACC	Weapons & Ammunition Commodity Council



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Background

The Department of Homeland Security employs a variety of law enforcement officers and agents (LEO) who may, in accordance with DHS policy, use force to perform their duties, including the use of weapons, instruments, devices, or physical power to control, restrain, or overcome resistance, or gain compliance or custody, of another.¹ Law enforcement missions and responsibilities vary across DHS components. Table 1 summarizes DHS components that employ or support LEOs.

Table 1. Summary of DHS Components Employing or Supporting LEOs

DHS Component	Mission
U.S. Customs and Border Protection (CBP)	Protect the American people, safeguard our borders, and enhance the Nation's economic prosperity.
U.S. Immigration and Customs Enforcement (ICE)	Protect America from national security and public safety threats by enforcing immigration and customs laws.
United States Secret Service (Secret Service)	Protect the President and Vice President of the United States, visiting foreign heads of state, and National Special Security Events, as well as facilities such as the White House, Vice President's temporary official residence, and certain foreign diplomatic missions; and safeguard the U.S. financial infrastructure and payment systems.
United States Coast Guard (Coast Guard)-Maritime Law Enforcement (MLE)	Protect America's maritime borders, defend the Nation's maritime sovereignty, facilitate legitimate use of the waterways, and suppress violations of U.S. Federal law on, under, and over the seas to include illegal migration and Transnational Organized Crime.
Coast Guard Investigative Services (CGIS)	Support and protect Coast Guard personnel, operations, integrity, and assets worldwide.
Transportation Security Administration (TSA)	Protect the Nation's transportation systems to ensure freedom of movement for people and commerce.
Federal Emergency Management Agency (FEMA)	Help people before, during, and after disasters. (NOTE: FEMA employs law enforcement officers at the Mount Weather Emergency Operations Center.)
Management Directorate-Federal Protective Service (FPS)	Prevent, protect, respond to, and recover from terrorism, criminal acts, and other hazards threatening the U.S. Government's critical infrastructure, services, and the people who provide or receive them.
Management Directorate-Office of the Chief Security Officer (OCSO)	Deliver enterprise-wide security solutions to protect the Department's people, information, and resources against constant evolving threats.
Management Directorate-Office of the Chief Readiness Support Officer (OCRSO)	Enable the DHS mission and component operational readiness by leading, governing, integrating, managing, and planning for real property, assets, logistics, and sustainability.
Science and Technology Directorate (S&T)	Enable effective, efficient, and secure operations across all homeland security missions by applying scientific, engineering, analytic, and innovative approaches to deliver timely solutions and support departmental acquisitions.
Federal Law Enforcement Training Centers (FLETC)	Prepare the Federal law enforcement community to safeguard the American people, our homeland, and our values.

Source: DHS OIG analysis of DHS Mission Statements within the scope of the audit objectives

¹ Department Policy on the Use of Force, DHS Policy Statement 044-05, September 7, 2018.



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One of DHS' strategic objectives is to strengthen preparedness and resilience by training and exercising first responders, including LEOs. According to the DHS use of force policy, to ensure that DHS LEOs are proficient in a variety of techniques that could aid them in appropriately resolving encounters, DHS components shall provide use of force training that includes de-escalation, tactics, and techniques.² The policy also states that DHS components shall conduct less-lethal use of force training no less than every 2 years and incorporate decision-making and scenario-based situations in these training programs.

DHS components currently use a variety of law enforcement virtual training simulators as training tools to exercise LEOs, enhance use of force decision making, and mirror real-world stress. These simulators provide video depictions of various situations that LEOs may encounter while performing their duties. Depending on the technology, LEOs can interact with the video depictions to varying degrees. Some technologies allow the scenarios to be modified while they are playing, thus providing variation, alternative outcomes,³ and changes based on LEO actions and instructor input. Additionally, some technologies provide for the use of a variety of interactive devices, such as lethal and less-lethal training weapons.⁴ Appendix C provides an overview and capability summary of all law enforcement simulators used at DHS. Although some DHS components require the use of these types of systems during initial basic training courses and use them as a supplemental recurring training tool, Coast Guard is the only component to explicitly require the use of a simulator as part of semi-annual firearm training requirements.⁵

These technologies vary from virtual reality to screen-based simulators and can be stationary (designed to remain in one location at all times) or portable (designed to be packed up and moved to be set up at different locations).⁶ All technologies generally position a trainee in a reality-based scenario in which

² *Id.* DHS Policy Statement 044-05. De-escalation is the use of communication or other techniques during an encounter to stabilize, slow, or reduce the intensity of a potentially violent situation without using physical force, or with a reduction in force.

³ An "outcome" within this context describes differences in how each scenario plays out.

⁴ DHS Policy Statement 044-05. Less-lethal devices are instruments or weapons that are designed or intended to be used in a manner that is not likely to cause death or serious bodily injury.

⁵ ICE and CBP Border Patrol incorporate the use of simulators within required basic training courses. Secret Service officials said that the use of simulators was required within basic training courses, but training documents did not explicitly show this. *Coast Guard Ordnance Manual*, COMMANDANT INSTRUCTION M8000.2F, May 2018, requires all Coast Guard personnel who carry or operate Coast Guard firearms in the performance of their duties to complete the Judgmental Use of Force Evaluation on a recurring basis.

⁶ Virtual reality is an artificial environment which is experienced through sensory stimuli (such as sights and sounds) provided by a computer and in which one's actions partially determine what happens in the environment.



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judgment, de-escalation, and use of force decisions are made. The scenarios are monitored by training instructors who select scenarios, provide feedback, and allow the trainees to explain their actions and decisions. Figure 1 shows LEOs interacting with a video depiction of a situation, and Figure 2 displays the various lethal and less-lethal training weapons available for use during simulations.



Figure 1. Example of a Virtual Training Simulator

Source: Vendor website



Figure 2. Example of Training Weapons Used for Virtual Training Simulators

Source: DHS OIG photo

According to DHS component officials, virtual training simulators offer many benefits including placing officers in realistic scenarios without the use of role players, reducing the potential for injury, more efficient and detailed training instructor de-briefs, identification of shot placement, and the flexibility to change scenarios quickly. Table 2 provides a summary of the approximate costs and number of systems at each DHS component.



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Table 2. Summary of the Approximate Costs and Number of Law Enforcement Virtual Simulators at Each DHS Component

DHS Component	Virtual Simulator Capability	Approximate* Number of Systems	Approximate* Cost
CBP	Yes	45	\$10,839,522
Secret Service	Yes	12	\$1,834,500
FPS	Yes	1	\$223,075
Coast Guard-MLE	Yes	491**	Unknown
Coast Guard-CGIS	Yes	16	Unknown
ICE	Yes	5	\$249,485
FLETC	Yes	54	\$2,054,657
OCSO	No	N/A	N/A
TSA-Federal Air Marshals	No	N/A	N/A
FEMA	No	N/A	N/A
			\$15,201,239*

*These figures are estimates due to limitations in the available supporting documentation.

**This is a DVD-based system. This figure represents the approximate number of DVDs.

See Appendix A for additional details.

Source: DHS OIG analysis of DHS data

In June 2016, OCRSO issued a *Field Efficiency Strategic Review and Recommendations Report*, which identified access to adequate law enforcement training facilities as an ongoing issue that resulted in increased difficulty meeting training requirements. The review also concluded that cross-component coordination and collaboration were limited by not having a single point of contact within regions/cities to communicate and connect common mission support capabilities and share common resources, resulting in underutilized assets. Many of the DHS components in Table 1 have personnel located within geographical location to each other. For example, FPS, Secret Service, Coast Guard, and CBP have training facilities and virtual training simulators located in the Washington, DC area. Furthermore, according to regional planning documents prepared by OCRSO, there are 5,152 DHS law enforcement personnel from different components in the San Diego area.⁷

DHS established forums for components to collaborate on purchases, technology, and law enforcement training.

- In fiscal year 2003, DHS established the Weapons & Ammunition Commodity Council (WACC). The purpose of the WACC is to develop and implement a DHS-wide strategy for the effective and efficient acquisition, coordination, sustainment, and utilization of Weapons, Ammunition, and Law Enforcement Equipment and Services.

⁷ OCRSO engages staff in data-driven and qualitative research to develop integrated, flexible, and resilient mission support strategies and solutions to fulfill operational requirements. According to an OCRSO official, these sites were reviewed due to the high number of DHS scheduled leases that will expire within 5 years.



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- On February 9, 2021, FLETC and S&T formed the Training and Performance Optimization Research and Development Coordination Integrated Product Team (IPT).⁸ The purpose of this IPT was to conduct research and development activities; and address FLETC and FLETC-led research and development, S&T support and services, and acquisition support needs or gaps. A sub-IPT is in development to specifically address immersive training technologies.
- On September 29, 2021, the Secretary established the Law Enforcement Coordination Council (LECC), the Department's first unified law enforcement coordination body, to coordinate department-wide law enforcement related matters on training and policy. The Council has two subcommittees for use of force and training. The training subcommittee is chaired by the Director of FLETC.

We conducted this audit to determine the extent to which DHS law enforcement components collaborate and leverage resources for virtual training.

Results of Audit

DHS component collaboration on law enforcement virtual training simulators is limited. Specifically, components are not always aware of other DHS components' research, purchases, capabilities, or availability of law enforcement virtual training simulators. DHS' September 2018 use of force policy requires that the Office of Strategy, Policy, and Plans (PLCY), working in consultation with DHS components employing LEOs, establish a DHS Use of Force Council to provide a forum by which components can share lessons learned regarding use of force policies, training, and oversight. DHS has experienced delays and challenges implementing initiatives that may lead to better collaboration and leveraging of resources across the Department. In September 2021, DHS established the Law Enforcement Coordination Council, which coordinates department-wide law enforcement related matters on training and policy. However, this and other initiatives did not always include all relevant offices and components, such as FEMA. Without additional coordination on virtual training activities, DHS faces challenges training LEOs and may limit potential cost savings.

Additionally, Secret Service does not have a system to track use of force incidents. According to DHS' use of force policy, "DHS components employing LEOs shall establish internal processes to collect and report accurate data on

⁸ IPTs are component-led teams responsible for identifying, prioritizing, validating, and reporting DHS research and development.



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component use of force activities.” Without a system to track use of force incidents, Secret Service is unable to efficiently assess use of force activities, conduct meaningful trend analysis, or take appropriate corrective actions, such as providing additional training.

DHS Component Collaboration on Virtual Training Is Limited

On April 22, 2014, the Secretary of Homeland Security issued a memorandum entitled, *Strengthening Departmental Unity of Effort*, which aimed to promote greater coordination among components, incorporate a unified decision-making process, and strengthen and enhance the Department’s budgeting process. OCRSO’s Regional Mission Support Division supports these initiatives by connecting common mission support capabilities and resources, ensuring that components are aware of facilities and resources available for use or sharing, and helping reduce costs by leveraging economies of scale for the procurement of common goods and services.

Despite these DHS initiatives and law enforcement virtual training simulators being a common training tool, components are not always aware of other DHS component’s research, purchases, capabilities, and availability of law enforcement virtual training simulators. Specifically, officials from Secret Service, ICE, and Coast Guard said that they do not collaborate with other components who employ LEOs in the purchase or use of this technology. Based on discussions with DHS officials, we found one example of a component sharing simulator resources with another (CBP and FEMA at one location), and some component officials stated that they had discussed virtual training technologies with FLETC and S&T. Many component officials we interviewed said that they had never worked with OCRSO. Components also do not specifically track how often each of their training simulators is used, although some components can calculate estimates based on training completion records. More accurate usage information could provide DHS the data needed to help avoid underutilized assets and share resources. Although virtual training collaboration was limited, some components are currently sharing other law enforcement training resources such as mat rooms, firing ranges, and classrooms.



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Coast Guard has experienced several unique challenges surrounding virtual training systems that may be mitigated through increased collaboration. Coast Guard personnel who carry weapons in performance of their duties are evaluated on deadly use of force decision making by unit commanders. Since 1985, the Judgmental Pistol Course, reclassified to Judgmental Use of Force Evaluation, has been used to evaluate personnel's ability to make appropriate deadly force decisions. Coast Guard uses two separate systems to meet the Judgmental Use of Force Evaluation requirement. Coast Guard MLE personnel use a DVD-based system (see Figure 3) and CGIS personnel use an interactive simulator (see Figure 4).



Figure 3. Coast Guard DVD-Based System

Source: DHS OIG photo

Capabilities of MLE's DVD-based system are limited when compared to other systems in use across DHS. For example, scenarios only have one alternate outcome compared to the ability of other systems to provide many outcomes within each scenario. According to a Coast Guard official, the DVD-based system has also used the same 25 scenarios since 2014, which some Coast Guard personnel said they had memorized. The DVD-based system does not capture shot placement, while some component systems have more than 300 scenarios and the ability to record shot placement. A Coast Guard official said they use the DVD-based system because some units are very small, located in isolated areas, and have limited internet connectivity. However, we identified other DHS components using systems with similar space requirements and some that do not require internet connectivity.⁹

We previously reported and made one recommendation regarding a safety procedure concern with Coast Guard's use of functional firearms DVD-based simulation training.¹⁰ Coast Guard concurred with the recommendation and discontinued the use of functional firearms in this training.

⁹ Coast Guard's DVD system requires a minimum room size of 12 ft x 20 ft and a system in use by CBP and Secret Service requires a minimum room size of 14 ft x 18.6 ft.

¹⁰ *Management Alert—The United States Coast Guard Discontinued the Use of Functional Firearms in DVD Simulation Training*, OIG-21-67, September 23, 2021.



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Figure 4. CGIS Training Weapon and Speaker System

Source: DHS OIG photo

Although CGIS uses an interactive simulator, an official said that only 4 of the 16 systems were fully operational. During a site visit to one CGIS location, we determined one of the four systems listed as operational was only partially operational due to issues calibrating the training weapons. The CGIS official demonstrating the equipment said that the system had not been fully operational for 8 months and shots do not register on screen. Additionally, during our site visit, the CGIS instructor spent approximately 1 hour trying to set up and properly calibrate the equipment. Despite these

issues, the instructor said that CGIS has continued to use the system to meet the Judgmental Use of Force Evaluation training requirement. This location is 6.9 miles from FPS' Alexandria, VA, training facility, 29.1 miles from a CBP training facility at the Dulles, VA, airport, and 28.8 miles from the Secret Service Rowley Training Center in Maryland — all locations where DHS personnel operate law enforcement training simulators. Opportunities may exist at these locations for increased collaboration and leveraging of existing resources. Furthermore, CGIS already has a Memorandum of Agreement established with FPS regarding the use of the Alexandria, VA, facility to meet training requirements.¹¹

We found other examples in which increased collaboration may benefit DHS components. For example, a CBP official said CBP was researching virtual reality law enforcement training simulators but was unaware of FPS efforts in this area. CGIS and ICE are also researching new training simulators, but

officials said they are not working with any other component that employs law enforcement officers on these efforts. FEMA, OCSO, ICE, and Coast Guard noted budget and space constraints that prevent them from acquiring, maintaining, or updating virtual training systems. For example, FEMA's Police Chief said that having a virtual training simulator at the Mount Weather facility would greatly improve training for those LEOs. Finally, one Coast Guard training location purchased a virtual training system for \$160,235 but plans to dispose of the system due to unmanageable operating costs, according

“...having a virtual training simulator at the Mount Weather facility would greatly improve training for those LEOs.” - FEMA's Police Chief

¹¹ Memorandum of Agreement between the Federal Protective Service and the U.S. Coast Guard Investigative Service regarding use of the consolidated training facility Alexandria, Virginia, executed March 21, 2011.



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to a Coast Guard official. Increased collaboration and knowledge of lessons learned from other components may help DHS components avoid or solve these types of challenges and improve law enforcement training.

DHS Has Experienced Delays and Challenges Increasing Collaboration

DHS has experienced delays and challenges implementing initiatives that may lead to better collaboration and leveraging of resources across the Department. As a result of recommendation 2 from OIG-17-22, *DHS Lacks Oversight of Component Use of Force*, DHS updated its use of force policy.¹² The September 2018 *Department Policy on the Use of Force* requires, among other things, that “the Office of Strategy, Policy, and Plans, working in consultation with DHS components employing LEOs, shall establish the DHS Use of Force Council to provide a forum by which Components can share lessons learned regarding use of force policies, training, and oversight.” The Department has yet to fully implement recommendation 1 from OIG-17-22, which recommended that DHS establish a formal entity at the department-level to oversee component use of force activities. Specifically,

Once established, the responsible personnel at the Department level should work with the components to:

- a. establish minimal requirements for what each component should report as a use of force incident and develop a process to collect and report the accurate number of incidents;
- b. develop a formal mechanism by which components can share lessons learned regarding use of force policies, training, and oversight;
- c. collaborate with the components and conduct a review or study to identify minimum standards or requirements for less-lethal use of force training, and require the components to implement the training;
- d. ensure each component has and uses a system of record to actively monitor completion of required recurring training; and
- e. continuously improve monitoring of training requirements, address training challenges related to resource availability, optimize regional efficiencies, and identify opportunities for cooperation to meet training related goals.

According to a PLCY official, a lack of dedicated staff to oversee a DHS Use of Force Council delayed implementation 3 years until September 29, 2021, when

¹² We recommended that the Deputy Secretary direct the Office of Policy, Law Enforcement Policy to update DHS’ 2004 *Use of Deadly Force Policy* and ensure components’ use of force policies include lessons learned resulting from any reviews or shared information.



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the Secretary established the LECC. The LECC coordinates department-wide law enforcement related matters on training and policy. The lack of a formal law enforcement council contributed to the limited DHS-wide coordination on virtual training. Although PLCY has made progress implementing corrective actions, this recommendation has not been fully implemented.

Although other department-wide initiatives for collaboration were established, DHS did not always include all relevant components and offices within these groups. For example, the FLETC IPT did not include members from Coast Guard, OCSO, and FEMA. According to FLETC officials, Coast Guard was contacted to participate but did not provide a response. A Coast Guard official said that FLETC had contacted the wrong office. FEMA and OCSO were not invited to participate in the IPT because, according to a FLETC official, they do not traditionally participate in FLETC training. Contrary to FLETC’s assertion, a FEMA official said that FEMA has 100 LEOs that participate in basic and advanced training at FLETC facilities and an OCSO official stated that OCSO LEOs have attended FLETC courses on an ad-hoc basis. Additionally, FEMA was not included in the LECC and OCSO was not included in the WACC due to an administrative oversight. Table 3 shows DHS component participation in the law enforcement collaboration initiatives. Although DHS components are not required by policy to coordinate minor acquisitions and procurements,¹³ such as virtual training simulators, participating in the IPT and LECC may aid these components and the Department in leveraging virtual simulator research, best practices, resources, and capabilities.

**Table 3. DHS Component Participation in
DHS Law Enforcement Collaboration Initiatives**

Component	Participation		
	WACC	LECC	IPT
CBP, ICE, Secret Service, FPS, FLETC, TSA	✓	✓	✓
Coast Guard	✓	✓	
FEMA	✓		
OCRSO	✓	*	
OCSO		*	

*Management Directorate included
Source: DHS OIG analysis of DHS data

According to an official from the Office of the Chief Procurement Officer, strategic sourcing was considered for a CBP law enforcement virtual training system and presented to other components during WACC meetings.¹⁴

¹³ We did not identify specific policies that would require a formal DHS-wide procurement and coordination process for purchases below \$50,000,000.

¹⁴ Strategic sourcing is a collaborative and structured process of critically analyzing DHS’ procurement spending and using an enterprise approach to make business decisions about



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However, an Office of the Chief Procurement Officer official said that strategic sourcing was not pursued due to limited demand from other components, differing requirements, and the lack of a competitive environment. When purchasing virtual training systems, components generally used the General Service Administration Schedules to obtain systems at pre-negotiated prices.¹⁵ The WACC is a procurement-driven council that aims to consolidate acquisition requirements, reduce acquisition cost, and improve the quality of commodities. Based on the WACC charter and meeting minutes from 2020 and 2021, component collaboration in this council did not include law enforcement virtual training simulator research, usage, best practices, or opportunities to leverage resources, as this council is focused on procurement activities only. Such activities may be better suited for the LECC and IPT.

Other Matters

Secret Service Does Not Have a System to Track Use of Force Incidents

Secret Service does not have a system to track and record component statistics for use of force incidents. Use of force reports are prepared manually via hard copy and not entered in a system or database for tracking or analysis. According to the DHS use of force policy, “DHS components employing LEOs shall establish internal processes to collect and report accurate data on component use of force activities. Components shall report this data to the Deputy Secretary, through the Deputy Assistant Secretary for Law Enforcement Policy, on no less than an annual basis and to others as required for official purposes.” Secret Service’s policy, *Less-Lethal/Intermediate Devices/Techniques and Use of Force Reporting Requirements (RTC-04(02))*, January 14, 2021, also indicates that use of force incident reports should be reported by the Assistant Director of the Office of Training to DHS, through the Deputy Assistant Secretary for Law Enforcement Policy, on no less than an annual basis.

Secret Service officials said they did not have a system to track use of force incidents. Additionally, officials could not provide an example of a use of force report from the Office of Investigations. As noted previously, OIG-17-22 recommendation 1 has yet to be fully implemented. The recommendation required the DHS oversight entity to establish minimum requirements for component use of force incident reporting. Additionally, a PLCY official said that DHS has not yet implemented the provision from the use of force policy to

acquiring and managing commodities and services more efficiently and effectively. This process helps achieve improvements in price, performance, total cost of ownership, and overall business efficiency.

¹⁵ The General Service Administration establishes long-term government-wide contracts with commercial firms to provide access to more than 11 million commercial supplies (products) and services.



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report use of force data to the Deputy Assistant Secretary for Law Enforcement Policy. A PLCY official said PLCY planned to use LECC meetings to establish reporting templates to collect and compile data. Without a system to track statistics on use of force, Secret Service is unable to efficiently assess use of force activities, conduct meaningful trend analysis, or take appropriate corrective actions, such as providing additional training. During the audit, Secret Service made progress developing a system to track use of force incidents. Secret Service officials said they have been working to develop this system since late 2020 and that the system should be operational by October 1, 2022.

Conclusion

Without implementing a joint approach to coordinate research, purchases, or leveraging of resources for virtual technologies, DHS risks greater costs resulting from inefficiency and duplication of effort. Additionally, DHS may limit potential cost savings from leveraging and sharing existing resources across DHS. Some DHS components may not have the necessary resources to efficiently train and prepare LEOs. This may affect DHS' ability to meet its strategic goal of strengthening preparedness and resilience through training and exercising LEOs.

Recommendations

Recommendation 1: We recommend the Under Secretary for the Office of Strategy, Policy, and Plans, in coordination with Federal Law Enforcement Training Centers, ensure that DHS law enforcement working groups, councils, or similar coordination bodies include assessments of the use of virtual training simulators to include research, purchases, usage, best practices, and opportunities to leverage existing resources.

Recommendation 2: We recommend the Under Secretary for the Office of Strategy, Policy, and Plans ensure that the Federal Emergency Management Agency is included within Law Enforcement Coordination Council activities.

Recommendation 3: We recommend the Director of the Federal Law Enforcement Training Centers reassess and make changes, if appropriate, to participation in Integrated Product Teams to ensure that all DHS law enforcement components and offices are included.

Recommendation 4: We recommend the Commandant, United States Coast Guard, leverage DHS working groups, councils, or similar coordination bodies to identify opportunities to improve virtual training capabilities and practices, as appropriate.



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Recommendation 5: We recommend the Commandant, United States Coast Guard, ensure that Coast Guard Investigative Services has access to operational training systems available to meet training requirements.

Recommendation 6: We recommend that the Director of the United States Secret Service establish a process to collect and report accurate data on use of force activities.

Management Comments and OIG Analysis

DHS concurred with our recommendations. Appendix B contains a copy of DHS' response in its entirety. We also received technical comments and incorporated changes to the report where appropriate. A summary of DHS' responses to the recommendations and our analysis follows.

PLCY Response to Recommendation 1: Concur. The Department's LECC includes two subcommittees — the Training Subcommittee, which is chaired by the FLETC Director, and the Policy Subcommittee. Although the “Departmental Policy on the Use of Force,” (Policy Statement 044-05) dated September 7, 2018, directs the DHS Use of Force Council be established as a forum for DHS components to share lessons learned regarding use of force policies, training, and oversight, the LECC Policy Subcommittee currently fills this role. Additionally, the Department's S&T Office of Science & Engineering's Operations and Requirements Analysis Division participates on the LECC subcommittees, and will hold briefings for the subcommittees at upcoming meetings, addressing topics such as an overview of S&T capabilities, and completed and ongoing research and development efforts aligning with LECC priorities, as appropriate. Among other activities, these organizations review a broad spectrum of information on activities to strengthen preparedness and resilience by training and exercising law enforcement personnel, including briefing of S&T's assessments of the use of virtual training simulators and associated research. Estimated Completion Date (ECD): December 30, 2022.

OIG Analysis: We consider these actions responsive to the recommendation, which is resolved and open. The recommendation will remain open until PLCY provides documentation to show that DHS law enforcement working groups, councils, or similar coordination bodies include assessments of the use of



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virtual training simulators to include research, purchases, usage, best practices, and opportunities to leverage existing resources.

PLCY Response to Recommendation 2: Concur. DHS PLCY provided documentation that FEMA is now included in the LECC charter.

OIG Analysis: We consider these actions responsive to the recommendation, which is resolved and closed. PLCY provided documentation to show that FEMA is now included in the LECC.

FLETC Response to Recommendation 3: Concur. As part of S&T participation on the LECC subcommittees, S&T coordinates IPTs to ensure all DHS law enforcement components are included. For example, the *Modification to IPT Charter Management Team* memorandum, dated November 15, 2021, updated the composition of the Training and Performance Optimization IPT Charter to include more representation from DHS law enforcement components and offices. FLETC requested that the OIG consider this recommendation resolved and closed, as implemented.

OIG Analysis: We consider these actions unresponsive to the recommendation, which is unresolved and open. FLETC provided a memorandum that updated the composition of the Training and Performance Optimization IPT Charter, dated November 15, 2021. This memorandum did not include an assessment to determine if all law enforcement components and offices, such as FEMA, OCSO, and Coast Guard, should be included. The recommendation will remain open until FLETC provides documentation to demonstrate an assessment was performed on the participation in IPTs to ensure that all DHS law enforcement components and offices are included, as appropriate.

Coast Guard Response to Recommendation 4: Concur. In April 2022, the Judgmental Use of Force Working Group Charter was established to review all use of force training and evaluations, identify any shortfalls or overlaps, and make recommendations to the Commander of the Force Readiness Command, to improve support to law enforcement personnel performance. This review includes the virtual Judgmental Use of Force Evaluation course and, once complete, the Office of Law Enforcement Policy will release findings that Coast Guard will consider, as appropriate, regarding improving virtual training capabilities and practices. ECD: December 30, 2022.

OIG Analysis: We consider these actions partially responsive to the recommendation, which is resolved and open. Coast Guard indicated that all use of force training and evaluations will be reviewed for shortfalls and overlaps. However, Coast Guard did not indicate that it will leverage DHS working groups, councils, or similar coordination bodies to perform this review.



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This recommendation will remain open until Coast Guard provides documentation showing that it has leveraged DHS working groups, councils, or similar coordination bodies to identify opportunities to improve virtual training capabilities and practices, as appropriate.

Coast Guard Response to Recommendation 5: Concur. CGIS will continue to work with internal and external partners, as appropriate, to identify and implement the best option for providing consistent judgmental training to all agents, including options that will benefit all Coast Guard law enforcement personnel. Accordingly, by October 31, 2022, CGIS personnel in region areas without immediate access to an operational training system will coordinate with surrounding units to complete required judgmental training. Furthermore, CGIS has identified two vendors capable of meeting Coast Guard's law enforcement virtual training simulator requirements and is considering contract options for fiscal year 2023. Depending on the availability of funds, procurement of all required simulators will take several years to complete. ECD: September 30, 2026.

OIG Analysis: We consider these actions responsive to the recommendation, which is resolved and open. This recommendation will remain open until Coast Guard provides documentation to show that CGIS has access to operational training systems available to meet training requirements.

Secret Service Response to Recommendation 6: Concur. Secret Service's Office of Training, Rowley Training Center, in conjunction with the Office of the Chief Information Officer and the Office of the Chief Counsel, will implement an online system for tracking and analyzing use of force incidents, which will comply with all Federal Bureau of Investigation (FBI) National Use of Force Data Collection Technical Specifications and DHS reporting requirements. Once complete, this system will also allow Secret Service to track and analyze individual incidents and trends and implement improvements when issues are identified. The system will also facilitate data transfer to DHS and the FBI, as necessary. ECD: October 31, 2022.

OIG Analysis: We consider these actions responsive to the recommendation, which is resolved and open. This recommendation will remain open until Secret Service provides documentation showing it has established a process to collect and report accurate data on use of force activities.



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Appendix A Objective, Scope, and Methodology

The Department of Homeland Security Office of Inspector General was established by the *Homeland Security Act of 2002* (Public Law 107–296) by amendment to the *Inspector General Act of 1978*.

We conducted this audit to determine the extent to which DHS law enforcement components collaborate and leverage resources for virtual training. We limited our scope to DHS components and offices that employ or support LEOs and the training of those LEOs using scenario-based virtual simulators. We limited the scope to active DHS virtual training simulators as of January 1, 2021. The following DHS components and offices were included within the audit scope:

- U.S. Customs and Border Protection (CBP)
- Federal Emergency Management Agency (FEMA)
- Federal Law Enforcement Training Centers (FLETC)
- U.S. Immigration and Customs Enforcement (ICE)
- MGMT-Federal Protective Service (FPS)
- MGMT-Office of the Chief Security Officer (OCSO)
- MGMT-Office of the Chief Readiness Support Officer (OCRSO)
- Science and Technology Directorate (S&T)
- Transportation Security Administration (TSA)
- United States Coast Guard (Coast Guard)
- United States Secret Service (Secret Service)
- Office of Strategy, Policy and Plans (PLCY)

To achieve our audit objective, we reviewed applicable DHS criteria, including a policy, directive, memorandum, and manual, as well as component-specific policies. We reviewed prior OIG and external reports. We sent questionnaires to determine which DHS components and offices employed LEOs and used virtual training simulators. We also interviewed officials from CBP, FEMA, FLETC, ICE, FPS, S&T, TSA, Coast Guard, Secret Service, OCRSO, OCSO, Office of the Chief Procurement Officer, and PLCY. In addition, we contacted the Office of Partnership and Engagement, Office of Privacy, and Office of the General Counsel to determine any involvement with the subject matter.

We conducted site visits at Newark International Airport (CBP); Dulles International Airport (CBP); FPS' Training Facility in Alexandria, VA; Coast Guard Sector Maryland/National Capital Region (Baltimore); and a Coast Guard CGIS facility in Alexandria, VA, to obtain a demonstration and understanding of DHS virtual training systems capabilities. To obtain an understanding of system capabilities for simulators that we did not observe in



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person, we reviewed publicly available information on vendor websites and corroborated that information with DHS documents and interviews.

We reviewed the WACC, LECC, and FLETC IPT charters and meeting minutes from 2020 through 2021. We reviewed Memorandums of Understanding and Memorandums of Agreement from components to determine established collaboration and sharing of training resources with other DHS components and agencies. We reviewed contracts for virtual training simulators currently in use across DHS to determine vendors and costs. We found limitations with this information such as contract documentation being unavailable and a limited number of unsigned contract documents. These limitations did not affect our ability to answer the audit objective. This information was used for background and context and did not directly impact overall findings and conclusions.

We did not use datasets from information systems to support our findings and conclusions. Therefore, we did not perform data reliability testing. To answer our audit objective, we relied on charters, policies, meeting minutes, emails, interviews, and on-site observations by the audit team. We determined that this evidence was relevant, valid, reliable, and sufficient to answer the audit objective.

In planning and performing our audit, we identified internal control components and underlying internal control principles as significant to our audit objective. We assessed the design, implementation, and operating effectiveness of the controls significant to DHS components collaborating and leveraging resources for virtual training. We identified internal control deficiencies that could affect DHS accomplishing objectives and ensuring collaboration and leveraging of virtual training resources across the Department. We discussed these internal control deficiencies in the body of this report. However, because we limited our review to internal control components and underlying principles associated with DHS components collaborating and leveraging resources for virtual training, other internal control deficiencies may have existed at the time of our audit.

During our initial requests for information, we asked that DHS components provide information related to use of force incidents. Secret Service was unable to provide the information requested, due to the issues described in the “Other Matters” section of this report. Other DHS components provided information responsive to the request. While outside the original scope of the audit, this issue warranted the attention of Secret Service and was included within the overall report findings.

We conducted this performance audit between March 2021 and February 2022 pursuant to the *Inspector General Act of 1978, as amended*, and according to



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generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based upon our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based upon our audit objectives.



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Appendix B
DHS Comments to the Draft Report

U.S. Department of Homeland Security
Washington, DC 20528



**Homeland
Security**

August 26, 2022

MEMORANDUM FOR: Joseph V. Cuffari, Ph.D.
Inspector General

FROM: Jim H. Crumacker, CIA, CFE
Director
Departmental GAO-OIG Liaison Office

JIM H
CRUMPACKER

Digitally signed by JIM H
CRUMPACKER
Date: 2022.08.26 14:27:41
-04'00'

SUBJECT: Management Response to Draft Report: “DHS Component
Collaboration on Law Enforcement Virtual Training is
Limited” (Project No. 21-029-AUD-DHS)

Thank you for the opportunity to comment on this draft report. The U.S. Department of Homeland Security (DHS or the Department) appreciates the work of the Office of Inspector General (OIG) in planning and conducting its review and issuing this report.

DHS leadership is pleased to note OIG’s recognition that the Department established the Law Enforcement Coordination Council (LECC) in September 2021, which coordinates Department-wide law enforcement related matters on training and policy. DHS remains committed to providing law enforcement officers and agents with the training and training-related products, systems, infrastructure, research, and expertise needed to ensure that DHS law-enforcement students are thoroughly prepared to perform their functions in the various environments they operate.

The draft report contained six recommendations with which DHS concurs. Enclosed find our detailed response to each recommendation. DHS previously submitted technical comments addressing several accuracy, contextual and other issues under a separate cover for OIG’s consideration.

Again, thank you for the opportunity to review and comment on this draft report. Please feel free to contact me if you have any questions. We look forward to working with you again in the future.

Enclosure



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Enclosure: Management Response to Recommendations Contained in 21-029-AUD-DHS

OIG recommended the Under Secretary for the Office of the Strategy, Policy, and Plans (PLCY):

Recommendation 1: In coordination with the Federal Law Enforcement Training Centers [FLETC], ensure that DHS law enforcement working groups, councils, or similar coordination bodies include assessments of the use of virtual training simulators to include research, purchases, usage, best practices, and opportunities to leverage existing resources.

Response: Concur. The Department's LECC includes two subcommittees—the Training Subcommittee, which is chaired by the FLETC Director, and the Policy Subcommittee. Although the "Departmental Policy on the Use of Force," (Policy Statement 044-05) dated September 7, 2018, directs the DHS Use of Force Council be established as a forum for DHS Components to share lessons learned regarding use of force policies, training, and oversight, the LECC Policy Subcommittee currently fills this role. Additionally, the Department's Science and Technology Directorate (S&T) Office of Science & Engineering's (OSE) Operations and Requirements Analysis Division (ORA) participate on the LECC Subcommittees, and will hold briefings for the Subcommittees at upcoming meetings addressing topics such as an overview of S&T capabilities, and completed and ongoing research and development efforts aligning with LECC priorities, as appropriate. Among other activities, these organizations review a broad spectrum of information on activities to strengthen preparedness and resilience by training and exercising law enforcement personnel, including briefing of S&T's assessments of the use of virtual training simulators and associated research. Estimated Completion Date (ECD): December 30, 2022.

Recommendation 2: Ensure that the Federal Emergency Management Agency [FEMA] is included within Law Enforcement Coordination Council activities.

Response: Concur. On March 28, 2022, DHS PLCY provided the OIG with documentation that FEMA is included in the LECC charter. We request that the OIG consider this recommendation resolved and closed, as implemented.

OIG recommended the Director of FLETC:

Recommendation 3: Reassess and make changes, if appropriate, to participation in Integrated Product Teams [IPTs] to ensure that all DHS law enforcement components and offices are included.



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Response: Concur. As part of DHS S&T participation on the LECC Subcommittees, S&T OSE ORA coordinates IPTs to ensure all DHS law enforcement components are included. For example, the “Modification to IPT Charter Management Team” memorandum dated November 15, 2021, updated the composition of the Training and Performance Optimization (TPO) Integrated Product Team Charter to include more representation from DHS law enforcement Components and offices. We request that the OIG consider this recommendation resolved and closed, as implemented.

OIG recommended the Commandant, United States Coast Guard:

Recommendation 4: Leverage DHS working groups, councils, or similar coordination bodies to identify opportunities to improve virtual training capabilities and practices, as appropriate.

Response: Concur. In April 2022, the “Judgmental Use of Force Working Group Charter” was established to review all use of force training and evaluations, identify any shortfalls or overlaps, and make recommendations to the Commander of the Force Readiness Command, to improve support to law enforcement personnel performance. This review includes the virtual “Judgmental Use of Force Evaluation” course and, once complete, the Office of Law Enforcement Policy will release findings that Coast Guard will consider, as appropriate, regarding improving virtual training capabilities and practices. ECD: December 30, 2022.

Recommendation 5: Ensure that Coast Guard Investigative Services [CGIS] has access to operational training systems available to meet training requirements.

Response: Concur. CGIS will continue to work with internal and external partners, as appropriate, to identify and implement the best option for providing consistent judgmental training to all agents, including options that will benefit all Coast Guard law enforcement personnel. Accordingly, by October 31, 2022, CGIS personnel region areas without immediate access to an operational training system will coordinate with surrounding units to complete required judgmental training. Furthermore, CGIS identified two vendors capable of meeting the Coast Guard’s law enforcement virtual training simulator requirements, and are considering contract options for fiscal year 2023. Dependent on the availability of funds, procurement of all required simulators will take several years to complete. ECD: September 30, 2026.

OIG recommended the United States Secret Service:

Recommendation 6: Establish a process to collect and report accurate data on use of force activities.



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Response: Concur. The Secret Service’s Office of Training, Rowley Training Center (RTC), in conjunction with the Office of the Chief Information Officer (CIO) and the Office of the Chief Counsel (LEG), will implement an online system for tracking and analyzing use of force incidents, which will comply with all Federal Bureau of Investigation (FBI) National Use of Force Data Collection Technical Specifications and DHS reporting requirements. Once complete, this system will also allow the Secret Service to track and analyze individual incidents and trends, and to implement improvements when issues are identified. The system will also facilitate data transfer to DHS and the FBI, as necessary.

The initial development of the system began in September 2020, before this audit was initiated, and the CIO assigned a development team to the project in early 2022. In addition, the RTC Use of Force Branch has been working with LEG to draft a new policy to provide guidance to agents and officers on use of force reporting. ECD: October 31, 2022.



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Appendix C
Capability Summary of DHS Law Enforcement Virtual Training Simulators



MILO Range Theater 180
Source: Vendor website

- Is not portable (by design)
- Provides a variety of scenarios with multiple outcomes
- Captures shot placement
- Provides for the use of a variety of available interactive weapons
- Has custom filmed scenarios
- Is used by ICE



MILO Range Theater 300
Source: Vendor website

- Is not portable (by design)
- Provides a variety of scenarios with multiple outcomes
- Captures shot placement
- Provides for the use of a variety of available interactive weapons
- Is used by ICE



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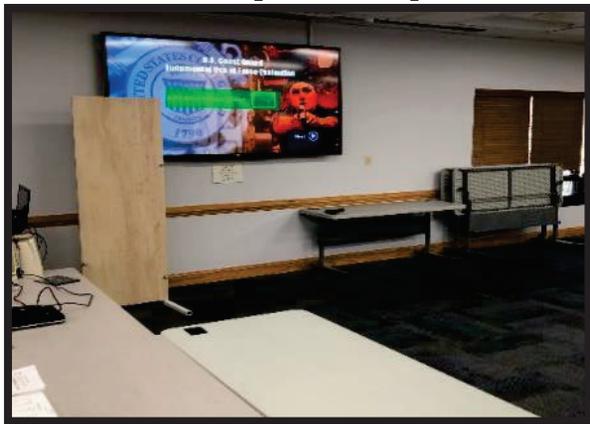
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MILO Range Pro

Source: ICE Enforcement and Removal Operations photo

- Is Portable (by design)
- Provides a variety of scenarios with multiple outcomes
- Captures shot placement
- Provides for the use of a variety of available interactive weapons
- Is used by ICE



Coast Guard DVD System

Source: DHS OIG photo

- Is portable (by design)
- Provides a variety of scenarios with one additional outcome
- Does not capture shot placement
- Has existing DVDs that cannot be updated with new scenarios
- Does not provide for the use of interactive weapons
- Has scenarios that are customized for Coast Guard



VirTra V-100

Source: Vendor Website

- Is portable (by design)
- Provides a variety of scenarios with multiple outcomes
- Captures shot placement
- Provides for the use of a variety of available interactive weapons
- Has custom DHS scenarios, including periodic scenario updates
- Is used by CBP, Secret Service, and FLETC



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VirTra V-300

Source: DHS OIG photo

- Is not portable (by design)
- Provides a variety of scenarios with multiple outcomes
- Captures shot placement
- Provides for the use of a variety of available interactive weapons
- Has custom DHS scenarios, including periodic scenario updates
- Is used by CBP and Secret Service



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Lasershot (disassembled)

Source: DHS OIG photo

- Is portable (by design)
- Provides a variety of scenarios with multiple outcomes
- Captures shot placement
- Provides for the use of a variety of available interactive weapons
- Has custom DHS scenarios, including periodic scenario updates
- Is used by CGIS



SURVIVR

Source: DHS OIG photo

- Is portable (by design), according to an FPS official
- Provides a variety of scenarios with multiple outcomes, including interactive role players
- Captures shot placement and eye tracking of participant
- Provides for the use of a variety of available interactive weapons
- Has custom DHS scenarios, including scenario updates
- Has 360-degree participant view and interaction within environment
- Is used by FPS



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Appendix D **Report Distribution**

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