



United States Department of the Interior

NATIONAL PARK SERVICE
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Washington, D.C. 20240

IN REPLY REFER TO:

W34(2400)

December 9, 2002

Memorandum

To: National Leadership Council

From: Director /s/ **Fran P. Mainella**

Subject: Law Enforcement Program Reform Actions

As you know, in July of this year Secretary Norton approved a set of directives regarding law enforcement program reforms to be implemented at the Bureau and Department levels. These directives were developed by the Law Enforcement Review Panel established by the Secretary to evaluate all of the recommendations for law enforcement reforms as specified in the Office of the Inspector General's Report "Disquieting State of Disorder: An Assessment of Department of the Interior Law Enforcement" (January 2002).

As a result of a recent meeting with Assistant Secretary Griles, it has become apparent that the Secretary is expecting immediate action on those directives affecting the National Park Service (NPS). In addition, recent congressional inquiry regarding many of the same issues has also grown significantly. Although I believe that we made significant progress in addressing officer safety and law enforcement reforms at the National Leadership Council's most recent meeting in Reno, we must now demonstrate our commitment to move beyond planning and begin to take action. Accordingly, I am implementing the following series of reforms specifically targeted at addressing each of the directives from the Secretary's Review Panel for Implementing Law Enforcement Program Reforms (as applicable to the NPS):

Directive #6. "For all bureaus: "establish a Senior Executive Service-level Director of Law Enforcement."

I am pleased to say that this directive has been completed. As you know, the NPS has created a new senior leadership position (SES-level) titled Associate Director for Resource and Visitor Protection. The incumbent in this position is considered the functional "Chief Ranger" of the NPS and, in collaboration with the Chief, U.S. Park Police, will provide leadership, focus, and

policy direction for the important cadre of professionals in the NPS who carry out the investigative and multi-specialist Park Ranger functions of law enforcement, emergency services, wildland and structural fire protection, and a variety of other resource and visitor protection duties.

In addition to the new Associate Director for Resource and Visitor Protection, I have tasked a newly established Protection Ranger Leadership Board, as facilitated through the Associate Director for Resource and Visitor Protection, to move quickly in developing the necessary policies and procedures to implement the Secretary's additional directives with a deadline of mid-January. Per our discussions at the last NLC meeting, the board consists of the seven Regional Chief Rangers, up to two Associate Regional Directors for Operations, the Chief Division of Ranger Activities, the Ranger Activities Law Enforcement Program Specialist, one park Superintendent (SES), a representative from the U.S. Park Police, and a field Protection Ranger. The board is scheduled to meet in Washington the week of December 9 to begin this process, as well as addressing any other applicable needs as identified in the Women In Law Enforcement Report, the International Association of Chiefs of Police Report, and the other related reports and studies. Jay Liggett, Regional Chief Ranger for Alaska, will serve as the Board's Chair, and will take the lead in coordinating this work. The group will prepare implementation actions for these directives as follows:

Directive #7: "Immediately restructure the reporting system for special agents to create line law enforcement authority. All Special Agents in the field should report to Special Agent managers who in turn report directly to the Bureau Directors of Law Enforcement. Non law enforcement oversight of investigation should be discontinued."

Immediately establish a structure and reporting system for investigations conducted by NPS Special Agents and Protection Rangers. The NPS will create a functional line of authority for conducting investigations of crimes against resource or people, or allegations of misconduct by employees, concessionaires or contractors. Special Agents and Protection Rangers conducting park related investigations (cases not involving employees or a park conflict of interest) will report investigative issues and general law enforcement concerns to their park Senior Law Enforcement Officer (Commissioned). The regional Senior Law Enforcement Officer (Regional Chief Ranger) (Commissioned) will directly supervise all investigations involving NPS employees and/or circumstances where a park conflict of interest exists. The regional Senior Law Enforcement Officer will report on investigations to the Law Enforcement Administrator (Commissioned) at the Washington Office who will in turn report to the Associate Director for Resource and Visitor Protection (Chief Ranger).

Directive #8: "For all remaining law enforcement officers and personnel develop strategic plans for the transition to centralized management systems that report to the Bureau Director of Law Enforcement. In the interim, ensure that any remaining law enforcement managers with line authority over law enforcement officers and personnel have and maintain CRITICAL SENSITIVE CLEARANCES as recommended by Department policy. Bureaus should develop training plans for non-law enforcement managers within 60 days of approval of this recommendation."

Centralized Management: Centralized management of NPS law enforcement program is currently in place and consistent with the NPS General Authorities Act of 1976, existing NPS Policies and Directors Order #9. For general work assignments (non-investigative as described in #7 above), Law Enforcement Officers (Rangers and Special Agents) report to Chief Rangers (Commissioned) (who in turn report to Superintendents, who in turn report to Regional Directors, who in turn report to the Bureau Director).

Training and Background Investigations - Non-Law Enforcement Managers: Establish a time line and process to ensure that all Non-Law Enforcement Managers have and maintain CRITICAL SENSITIVE CLEARANCES. Develop training plans for non-law enforcement managers and ensure that they are held to the same ethical standards as law enforcement personnel they supervise. At the very minimum the NPS will require that:

- 1) All managers with law enforcement programs attend the national “Law Enforcement for Managers” course at the Federal Law Enforcement Training Center (FLETC) within 2 years. (The PRLB will develop a strategy to identify the number of potential candidates and add additional courses to meet this demand).
- 2) Every manager in the chain of command that has law enforcement program oversight will undergo a background investigation (to be initiated within 120 days).
- 3) Only properly cleared personnel will maintain responsibility for law enforcement programs. Individuals determined not to meet the criteria to supervise law enforcement operations may remain in their current position but will not be able to supervise the law enforcement operations.
- 4) Non-commissioned managers with oversight of law enforcement programs will be required to sign the same code of ethics as law enforcement officers and will be held accountable for these standards.

Directives #9: “Interior Bureaus will be required to implement Activity Based Costing by October 1, 2003.”

The NPS will incorporate the “Activity Based Costing” model for assessing the effectiveness of its law enforcement program(s).

Directives #11/12:

#11: “Each law enforcement program should develop staffing models and methodologies.”

#12: “Staffing shortages related to officer safety should be identified by the Office of Law Enforcement and Security and corrected immediately.”

(Both recommendations 11 and 12 are similar in nature and require similar action. As such, the following actions have integrated both directives in the analysis of current staffing shortages and correction of officer safety issues.)

Staffing: Develop staffing methodologies for addressing the Servicewide law enforcement “capacity” shortfall. Ensure that these needs are reflected in the NPS Budget Formulation System and/or Project Management Information System.

Officer Safety:

- 1) Develop and implement a Field Training Evaluation Program (FTEP). Starting in FY 2003 the NPS will initiate a Servicewide FTEP program to ensure that all incoming rangers receive this critical component of basic training. The FLETC staff will coordinate and manage this essential training program.
- 2) Establish an in-service Bridge Training Program. Starting in FY 2003 the NPS will fund a standardized in-service bridge training program by tasking staff at FLETC to coordinate and manage this critical element of training.
- 3) Establish a process for priority replacement of emergency services vehicles. The NPS will give top priority to replacing emergency services vehicles that are Interior owned. In general, the same mileage guidelines used by GSA leased emergency services vehicles will be used.
- 4) Ensure that "Special Operations Training," "Incident Management Team Training," and "Special Event Team Training" continues to be emphasized, with coordination provided by FLETC. (These advanced law enforcement/all-risk training programs are essential for providing quick and effective responses to, and management of, emergencies.) Training and equipment will be standardized in order to maintain our ability to respond to local and national emergencies.
- 5) Standardize the required 40-hour in-service refresher lesson plan and course objectives, with coordination provided by FLETC.

Additionally, as we review the challenges facing our law enforcement program, it has become apparent that the overall staffing of this function is approaching a level for which our basic resource and visitor protection mission may be in jeopardy. In light of the new workloads associated with protection issue, to include border safety and security, and other increasing demands, additional resources are needed to protect our employees, our visitors, and our natural and cultural resources. As has been documented in several recent studies, it is critical for the safety of those employees who work in law enforcement to work in a system that is adequately staffed. It is also critical to our mission of protecting visitors and other employees that law enforcement staffing levels not deteriorate further. In order to address critical capacity needs in the field, immediate action needs to be taken. Thus, I am requesting that each Regional Director implement the following procedures immediately:

- 1) When law enforcement positions become vacant at parks, those positions should be filled immediately.
- 2) During recruitment for vacant law enforcement positions, funds for those positions must not be used to meet non-law enforcement needs.
- 3) If park superintendents determine that this funding should be directed towards meeting needs other than filling law enforcement positions, appeals can be submitted to the Regional Director. (Appeals must be based on the need to fill another position that is critical to protecting life and property.)
- 4) If an appeal is approved, no other position at that park can be filled until the vacant law enforcement position is filled, or another appeal is approved.

Directive #13: “Beginning in fiscal year 2003 all Bureaus are to ensure and certify annually that all law enforcement collateral duty and seasonal law enforcement officers and managers have completed appropriate training. Additionally, all Bureaus are to develop procedures to demonstrate that enforcement officers are knowledgeable of and acting within their authority on a day-to-day basis.”

Ensure that all law enforcement collateral duty and seasonal Law Enforcement Officers and Managers have completed appropriate training. While the NPS continues to see a decline in the number and use of seasonal rangers, there is a critical need to continue to utilize this type of resource. NPS current policy and practice is to assure that all Law Enforcement Officers meet annual training requirements. Seasonal rangers are currently trained based on training agenda and standards approved by the Department. This effort will be enhanced by the development of a web-based centralized law enforcement database complete with reporting and alert capabilities (NPS is currently testing this system and will have it online in 2003).

Directive #16: “Each Bureau should appoint a senior-level GS-14/15 security manager to maintain the daily security operations of the bureau.”

Establish a senior level GS-14/15 Security Manager position to maintain daily security operations of the Bureau.

Directive #18: “The Office of Law Enforcement and Security and relevant Bureau Internal Affairs units should be established promptly and funding requests included in the 2004 budget.”

Develop and implement a process for merging the “Internal Affairs” functions (and funding requests) of the U.S. Park Police and the general NPS law enforcement program.

Directive #20: “Bureau Directors of Law Enforcement should be given the ability to review and approve the credentials of all law enforcement applicants prior to hiring.”

Establish a system to ensure that Bureau Directors of law enforcement programs are an integral part of the review process for approving the credentials of all law enforcement applicants prior to hiring.

Directive #23: “The Deputy Assistant Secretary should identify the information requirements necessary to develop a consistent reporting system no later than 120 days after entry on duty. Bureaus should include necessary funding requests in their fiscal year 2004 budget.”

Develop a consistent reporting and data management system capable of providing the full range of recording incidents. (The NPS Incident Reporting System Steering Committee determined that the most cost-effective and prudent approach was to perform a comprehensive needs assessment to find the best available products to meet the needs of all shareholders (completed July 2002), and conduct testing of the new system (TRW, Inc.) prior to implementation (pending 2003).

I realize that there are pressing needs in all parks, and the funds to meet those needs may be scarce. However, the safety of our employees and visitors, and our ability to protect resources adequately must be a high priority. Your support and cooperation in this effort is very much appreciated.