



U.S. Department of the Interior
 National Park Service
 United States Park Police

General Order 3600



Response to Resistance and Use of Force Standards

Notes

This General Order replaces G.O. 3615 – Use of Force (11-1-2019). The contents of Memorandum No. 5 (Series 2023) – Interim Policy on the Use of Chokeholds and Carotid Restraints (06-12-2023) have also been incorporated into this General Order and that memorandum is therefore rescinded.



Referenced DOI Policies

446 DM 20 – Use of Force

Referenced USPP Policies

- G.O. 3601 – Firearms
- G.O. 3605 – Less-Lethal Weapons
- G.O. 3604 – Documenting Use of Force Incidents
- GM – Use of Force Investigations

Referenced NPS Directives

DO #9: Law Enforcement Program

Referenced USPP Forms

N/A

Authorized by

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 Chief of Police

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Authority

The Chief of Police is authorized to manage the United States Park Police by [145 DM 10 – United States Park Police](#) and to issue policies in the form of General Orders pursuant to [245 DM 2 – Trial Boards, United States Park Police](#), as delegated by [Director’s Order #9: Law Enforcement Program](#), and in alignment with [NPS Management Policies \(2006\), Section 8.3](#).

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I. Policy

United States Park Police (USPP) law enforcement officers (LEOs) shall only use force that is objectively reasonable and respond to resistance in a manner consistent with the United States Constitution, applicable statutes, U.S. Department of the Interior (DOI) policy, National Park Service (NPS) directives, and the standards set forth herein.

II. Purpose

This General Order establishes standards for the use of force by LEOs to ensure all uses of force are consistent with applicable authorities and to formalize expectations for de-escalation and proportionality as required by [446 DM 20 – Use of Force](#) and [Director's Order #9: Law Enforcement Program](#).

III. Definitions

- A. **Carotid Restraint:** A physical maneuver or restraint technique that restricts blood flow to the brain and may cause unconsciousness or death.
- B. **Chokehold:** A physical maneuver or restraint technique that applies pressure to the throat or windpipe that restricts a person's ability to breathe and may cause unconsciousness or death.
- C. **Deadly Force:** Any use of force that carries a substantial risk of causing death or serious bodily injury. Deadly force does not include force that does not create a substantial risk of death or serious bodily injury but unexpectedly results in death or injury.
- D. **De-escalation:** The use of communication or other techniques during an encounter to stabilize, slow, or reduce the potential for violence and/or uses of force without using physical force or with a reduction in force.
- E. **Display:** Visibly holding or positioning a firearm or less-lethal weapon, without discharging it, in such a manner that the weapon may be immediately used against a person.

Note: Firearms or less-lethal weapons that do not require or use holsters (e.g., rifles) are not considered to be displayed if held in a duty carry position.

- F. **Exigent Circumstances:** For the purposes of this General Order, circumstances that would cause an objectively reasonable LEO to believe that a particular action is necessary to prevent physical harm to an individual, the destruction of relevant evidence, the escape of a suspect, or some other consequence that might lead to an imminent threat of serious bodily injury or death.
- G. **Force Options:** Physical and non-physical actions taken by LEOs intended to compel compliance or gain control or custody of a non-compliant person.
- H. **Graham Factors:** The Constitutional standard, as first established in *Graham v. Connor*, 490 U.S. 386 (1989) and as subsequently interpreted in the courts, that is considered to determine objective reasonableness of law enforcement’s use of force based on the totality of the circumstances of each incident. The specific factors are described in Section IV.D of this General Order.
- I. **Less-Lethal Force:** Any use of force that does not create a substantial risk of death or serious bodily injury and is not intended to cause death or serious bodily injury.
- J. **Less-Lethal Weapon:** An instrument or device designed or intended to be used in a manner not likely to create a substantial risk of death or serious bodily injury. Examples include, but are not limited to, conducted energy weapons, impact weapons, natural irritants, and chemical agents. These are also commonly referred to as “intermediate force” or “less-than-lethal” weapons or devices.
- K. **Response to Resistance:** Actions taken by a LEO – including both de-escalation techniques and force options – in response to a person’s actions to evade, resist, or overcome the LEO’s efforts to gain compliance or place them in custody.

- L. **Serious Bodily Injury:** As defined by 446 DM 20 – Use of Force, serious bodily injury is any bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.
- M. **Totality of the Circumstances:** All information known to the LEO leading up to and at the moment of the use of force, including the actions of the person against whom the LEO uses such force as well as the actions of the LEO in response to the person’s actions or resistance.
- N. **Use of Force:** The intentional application by law enforcement of any weapon, instrument, device, or physical power in order to control, restrain, or overcome the resistance, or gain compliance or custody of another.

IV. General Provisions

- A. The USPP recognizes the value of all human life and is committed to respecting the rights and dignity of every person.
- B. LEOs are permitted to use force that is reasonable in light of the totality of the circumstances. This standard neither requires LEOs to meet force only with equal or lesser force nor limits the objects or techniques that may be employed, except that the degree and manner of force must not be unreasonable under the circumstances.
- C. LEOs may use only the force that is objectively reasonable to effectively gain control of an incident, while protecting the safety of the LEO and others, in keeping with the *Graham* factors. This includes uses of force against persons in handcuffs or who are otherwise restrained, even when attempting to flee and escape, to harm themselves or another individual, or to destroy evidence or property.
- D. **Graham Factors:**

The Constitutional standard, as first established in *Graham v. Connor*, 490 U.S. 386 (1989), and as subsequently interpreted in the courts, is

considered to determine objective reasonableness of law enforcement's use of force based on the totality of the circumstances of each incident. These factors include but are not limited to:

1. The severity of the crime at issue.
 2. The immediacy of the threat.
 3. Whether the subject is actively resisting arrest.
 4. Whether the subject is attempting to evade arrest by flight.
 5. Other situational factors unique to the totality of the circumstances confronting the LEO in each situation at the time force is used. For example, the size, age, condition of the subject or LEO, pre-assault indicators, the number of subjects, the subject's criminal or psychiatric history (if known), and other relevant factors.
- E. LEOs are not required to retreat to avoid the reasonable use of force, nor are they required to wait for an attack before using reasonable force to stop a threat.
- F. The reasonableness of a particular level of force a LEO uses may vary based on evolving circumstances within a singular incident. A LEO's physical force must be discontinued when resistance ceases and when the incident is under control.
- G. All uses of force and displays of less-lethal weapons and firearms must be promptly documented in the records management system (RMS) and are subject to review and further investigation if necessary. See G.O. 3604 – Documenting Use of Force Incidents for more information.
- H. Uses of force shall be investigated pursuant to the procedures outlined in GM – Use of Force Investigations.

V. De-escalation

- A. De-escalation is a desired outcome. When objectively reasonable, LEOs shall seek to employ tactics and techniques that effectively bring an

incident under control while promoting the safety of LEOs and the public and that minimize the risk of unintended injury or serious property damage.

- B. Although de-escalation is desirable, in some cases de-escalation is not a reasonable response to circumstances or may be ineffective. The actions, behavior, and amount of resistance exhibited by the person ultimately dictate the need to use force and the outcome of an encounter.
- C. LEOs shall be trained in de-escalation tactics and techniques.
- D. LEOs shall be mindful that the individuals they encounter may not understand their directions or commands for various reasons, including but not limited to underlying medical issues, mental health issues, disabilities, language barriers, cultural differences, or the influence of narcotics or other substances.

VI. Use of Less-Lethal Force

When de-escalation techniques are not effective or objectively reasonable, LEOs may use less-lethal force to protect themselves or others from immediate physical harm, to restrain or subdue a person who is actively resisting or evading arrest, or to bring an unlawful situation safely under control. See G.O. 3605 – Less-Lethal Weapons for more information.

VII. Use of Deadly Force

- A. LEOs may use deadly force only when necessary, that is, when the LEO has an objectively reasonable belief that the subject of such force poses an imminent danger of death or serious bodily injury to the LEO or to another person.
- B. This General Order does not require LEOs to unnecessarily expose themselves to unreasonable risk or to take unreasonable measures before using deadly force.
- C. Chokeholds and carotid restraints constitute the use of deadly force.

D. Fleeing Suspect

Deadly force may not be used solely to prevent the escape of a fleeing suspect. However, deadly force is authorized to prevent the escape of a fleeing suspect where the LEO has an objectively reasonable belief that the fleeing suspect poses an imminent danger of death or serious physical harm to the LEO or others and such force is necessary to prevent escape.

E. Actions Involving Firearms

1. The act of establishing a grip, unholstering, or pointing a firearm does not constitute a use of deadly force.
2. Discharging a firearm towards a person constitutes the use of deadly force.
3. Firearms shall not be discharged solely as a warning, signal, or threat.
4. LEOs are prohibited from discharging firearms at a moving vehicle, vessel, aircraft, or other conveyance solely to disable it. Discharging firearms at a moving vehicle, vessel, aircraft, or other conveyance is permitted only under the following limited circumstances if the LEO has an articulable reason for the use of deadly force:
 - a. A person in the vehicle is threatening the LEO or another person with deadly force by means other than the vehicle.
 - b. The vehicle is operated in a manner that threatens to cause death or serious physical injury to the LEO or others, and no other objectively reasonable means of defense appear to exist, which includes moving out of the path of the vehicle.
 - c. Exigent circumstances exist justifying the use of deadly force under this General Order.
5. LEOs are prohibited from discharging firearms from a moving vehicle, vessel, aircraft, or other conveyance unless the LEO has

an articulable and objectively reasonable basis for this use of deadly force and for the manner of the use from a moving vehicle, vessel, aircraft, or other conveyance.

- F. Deadly force should not be used against persons whose actions are a threat solely to themselves or property.
- G. All deadly force incidents shall be rigorously investigated regardless of whether death occurs, and the involved LEOs shall be held accountable for the reasonableness of their actions.

VIII. Procedures

- A. When feasible and prior to the use of force, a LEO shall identify themselves to the person and issue a verbal warning that, if complied with, would mitigate or negate the need to use force. A LEO may consider any objectively reasonable factor in determining whether identifying themselves and issuing a warning is feasible, including but not limited to whether any delay that results from those actions is likely to cause any of the following outcomes:
 - 1. Increase the danger to the LEO or others, including any victims or bystanders.
 - 2. Result in the destruction of evidence.
 - 3. Allow the person to escape.
 - 4. Result in the commission of a crime.
- B. When a person is compliant, is no longer offering any resistance, and/or the purpose necessitating the use of force has been accomplished, LEOs shall discontinue or otherwise modify their use of force so as to use only the amount of force that is objectively reasonable under the totality of the circumstances to safely maintain control or custody of the person.
- C. When LEOs are confronted by persons who are not compliant but not actively resisting arrest efforts (e.g., going limp, standing still, lying on the ground), LEOs may exert only that amount of force which is

objectively reasonable to control and gain compliance of the person (e.g., carrying passive persons to an arrest vehicle).

- D. Any person who is visibly injured or complains of injury after a use of force shall be evaluated by qualified medical personnel as soon as reasonably possible. Qualified medical personnel include medical professionals such as medical doctors, licensed nurses, or emergency service technicians (EMTs).
- E. As soon as feasible, all displays or uses of force shall be reported to the appropriate supervisor by USPP-issued radio (or other means if radio is not available).

IX. Duty to Intervene

- A. USPP employees with actual knowledge of a LEO's improper, excessive, unreasonable, or illegal use of force shall, without unreasonable delay, report the incident to the on-duty supervisor, Shift Commander, or Commander, OPR.
- B. In addition to the above, LEOs have a duty to intervene to prevent or stop an objectively unreasonable use of force by another LEO—except when doing so would place the intervening LEO in articulable, reasonable fear of death or serious bodily injury. As soon as it is safe to do so, the intervening LEO shall report the incident and the circumstances surrounding the intervention to the on-duty supervisor or the Shift Commander.
- C. Failure to intervene in and report such violations is itself misconduct that may result in criminal prosecution, civil liability, or administrative action, including removal from federal service.
- D. Nothing in this General Order should be understood to prevent or discourage USPP employees from reporting incidents and concerns to the U.S. Department of the Interior, Office of Inspector General (DOI OIG), the Office of Special Counsel (OSC), and other avenues of reporting legally available to whistleblowers.

- E. The USPP will not tolerate adverse treatment of employees because they intervene in, report, or provide information related to use of force incidents. Therefore, any retaliation against any employee who intervenes against or reports excessive use of force or other related misconduct, or who cooperates in an investigation is prohibited. A USPP employee found to have engaged in retaliation is subject to administrative action, including removal from federal service, civil liability, or criminal prosecution.

X. Training

- A. LEOs shall receive use of force training based on the standards established by or equivalent to those of the Federal Law Enforcement Training Centers (FLETC), as well as during annual in-service training, as mandated by the Office of Workforce Development (OWD).
- B. Use of force training shall consist of
 1. Legal updates and practical application training on use of force, deadly force, and less-lethal force options.
 2. De-escalation tactics and techniques to ensure that LEOs are proficient in a variety of techniques that could aid them in appropriately resolving an encounter
 3. The affirmative duty to intervene to prevent or stop, as appropriate, any LEO from engaging in excessive force or any other use of force that violates the United States Constitution, other federal laws, state laws, or Departmental policies.
 4. The duty to provide care and medical care, as appropriate, when needed.
- C. All use of force training shall be appropriately documented within the U.S. Department of the Interior Learning Management System or other official record management system for recording and documenting training.