



To: Department of the Interior Law Enforcement Task Force
From: Public Employees for Environmental Responsibility (PEER)
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RE: Restoring Professionalism and Effectiveness to Interior Law Enforcement Programs

PEER is a nonpartisan, nonprofit, service organization for environmental and public health officials, land managers, scientists, enforcement officers, and other civil servants dedicated to upholding environmental laws and values.

For nearly thirty years, PEER has been assisting the Department of the Interior's (DOI) law enforcement professionals. During this period, PEER has provided legal representation for a range of such personnel from Bureau of Land Management (BLM) special agents to National Park Service (NPS) backcountry rangers and from the Chief of the U.S. Park Police (USPP) to U.S. Fish & Wildlife Service (FWS) collateral-duty law enforcement officers.

In these capacities, PEER has been and is in regular contact with current and former DOI law enforcement professionals on a daily basis. From these contacts, we increasingly see Interior law enforcement personnel facing difficult situations with:

- Inadequate backup, support, and training;
- Little to no effective planning or evaluation in agencies with almost nonexistent internal accountability mechanisms; and
- Inconsistent leadership lacking basic law enforcement experience and professionalism.

PEER's main message to this Task Force is that failures in DOI's law enforcement programs do not occur in isolation. Until issues of leadership, oversight, and support are addressed, in our view, little will change.

In this testimony, we highlight five issues that we believe demand this Task Force's attention if it intends to bring about meaningful improvements. We also make four recommendations to improve law enforcement programs within the Department.

I. Shrinking Law Enforcement Ranks

Altogether, DOI employs the fourth most sworn enforcement officers of any Cabinet agency, totaling approximately 3,400 law enforcement officers. Yet, these ranks have diminished by more than a thousand sworn personnel, in excess of a one fifth drop, in just the past decade.

Looking at individual agencies:

A. NPS

Since 2005, the ranks of permanent Park Service law enforcement rangers fell by more than one-seventh (15%) while seasonal law enforcement rangers deployed during peak seasons has dropped by almost one-third (30%).

B. BLM

Today, BLM has significantly fewer law enforcement rangers than it had a decade ago. With an estimated 70 million recreational visits this year, each BLM law enforcement ranger is now tasked with safeguarding some 35,000 recreational visitors on average, annually, over an area approaching the size of Delaware. [BLM Rangers Stretched to Breaking Point - PEER.org](#)

C. USPP

The ranks of USPP officers now stand at a nearly fifty-year low. The number of officers in the USPP three offices (D.C., New York City, and San Francisco) has dropped from about 639 officers to 494 officers, lower than the force size in 1975. [U.S. Park Police Force Levels Dropping – Especially in DC - PEER.org](#)

D. FWS

Today, more than half of wildlife refuges lack any law enforcement presence. The move to eliminate all dual-se law enforcement officers, by itself, diminished FWS law enforcement capacity by nearly one-fifth. [Refuges Slash Already Shrinking Law Enforcement - PEER.org](#)

II. Demand Is Growing for Interior Law Enforcement Presence

Even as force levels shrink, the demand for law enforcement service on Interior lands continues to grow by virtually all measures:

A. Land Area

The land area of the National Park System, refuges, and monuments has grown in recent years. A newly reinforced Land & Water Conservation Fund also means that considerable funds are dedicated to purchasing new conservation lands each year, with much of these lands added to the Interior portfolio.

B. Visitation

Through this past decade, national parks and other Interior lands have been setting all-time visitation records. Following a short drop during the height of the pandemic, when many Interior lands were closed, national park attendance rebounded in 2021, with the forty-five most popular parks setting attendance records.

At the same time, refuges, monuments, and other Interior lands are experiencing surges in visitation. Unlike most national parks, FWS refuges and BLM lands allow hunting, as well as a range of commercial activities, making their law enforcement missions especially complicated.

Notably, the most recent visitation surges have occurred without significant foreign tourism due to ongoing pandemic travel restrictions. This suggests that when normal patterns resume, the visitation levels on Interior lands may go even higher.

C. Search and Rescue

One especially taxing law enforcement assignment is finding lost hikers and sightseers. NPS, for example, recorded 3371 such incidents in 2021, more than triple the 1103 incidents recorded in 2015.

D. Crime

More people bring with them a range of social problems. One of them is crime. For example, NPS submissions to the Justice Department's Uniform Crime Reports reflect a four-fold rise in serious crime and a one-third rise in robberies since 2014. Meanwhile, NPS recorded 228 threats and assaults on NPS law enforcement personnel in 2019, right before the pandemic, more than doubling the 94 such incidents in just the year before.

III. Lack of Planning, Evaluations, and Accountability

From what we have seen, Interior law enforcement agencies have all but abandoned efforts to assess its law enforcement needs. For example, NPS policy requires each park to perform a Law Enforcement Needs Assessment (LENA) every three years but could not produce a single LENA in response to Freedom of Information Act (FOIA) requests during the past five years.

The absence of needs assessments means that inadequate force levels are not identified. This suggests that current staffing is more the result of budgetary happenstance than conscious planning.

In addition, the lack of transparency within these agencies means that after-incident evaluations are either non-existent or kept hidden from FOIA requests. This means that law enforcement failures or other untoward results are not shared with the ranks. Nor are they shared on an intra-Interior basis so that sister agencies can learn from each other's mistakes.

Thus, the absence of "lessons-learned" reports appears to condemn agencies to making the same mistakes repeatedly because there is no institutional learning curve.

At the same time, the Interior agencies all appear to lack performance metrics of any kind. The absence of metrics precludes effective oversight of management competence, professionalism, and priorities.

This leaves misconduct charges as the sole accountability mechanism. Yet, in PEER's experience, misconduct charges are often used as retaliatory measures against whistleblowers.

IV. Absence of Consistent Professional Leadership

Many of the Interior law enforcement agencies have endured a carousel of unprofessional leadership in recent years.

In BLM following the disastrous Bundy ranch stand-off in Nevada, the responsible officials were left in place while some, inexplicably, were promoted. Years later, when members of the Bundy family and militia groups occupied the Malheur National Wildlife Refuge in Oregon, Interior lacked competent law enforcement leadership capacity and the response was taken over by the Department of Justice.

Then, during the Trump administration, the head of BLM and FWS law enforcement programs were ordered to switch jobs and more than 200 Senior Executive Service positions inside Interior were transferred. Shortly thereafter, one of those law enforcement directors was removed for undisclosed misconduct.

USPP has been plagued by leadership problems for years. In 2003, NPS placed Park Police Chief Teresa Chambers, a career law enforcement officer and manager recruited after a nationwide search, on administrative leave following publication of a *Washington Post* interview (which she had been directed to give) in which she admitted the authenticity of documents showing severe staff shortages – at staffing levels well above those today. After Chief Chambers, represented by PEER, filed a whistleblower complaint, NPS terminated her. That action triggered a legal battle that lasted over seven years, resulting ultimately in her full restoration in late 2011. During her absence, USPP suffered a disastrous sequence of several acting and permanent chiefs.

Upon her return in 2011, Chief Chambers found an environment under then NPS Director Jon Jarvis in which she was shut out of virtually all management and major operational decisions. Less than three years after her return, Chief Chambers retired.

Following the tenure of Jarvis, there was a more than six-year period where there was no confirmed NPS director at all.

Thus, between its cadre of national park rangers and USPP, NPS has a substantial law enforcement force that has lacked experienced professional leadership for the better part of two decades. This lack of consistent direction handicaps improving law enforcement supervision or performance.

V. Shriveling Enforcement Capacity

A principal function of a law enforcement program is to enforce the law.

Protecting visitors and staff is, of course, a paramount concern. So is protecting the natural and cultural resources for which Interior agencies serve as custodians. These resource crimes include such offenses as wildlife trafficking, poaching, wildland arson, hazardous materials dumping, and archaeological artifact theft, among others.

Yet, criminal cases, prosecutions, and secured convictions from offenses committed on Interior lands developed by Interior agencies have all plummeted.

Convictions, prosecutions, and referrals for prosecution from Interior agencies in 2021 are well

below any year this century and lower than any year since these statistics were electronically compiled back in 1986 – thirty-five years ago. And the drop in recent years has been especially steep, with the 2021 totals amounting to less than half of those recorded in 2016.

Fewer rangers and special agents mean fewer investigations, referrals, prosecutions, and, ultimately, convictions. The decline in Interior law enforcement carries with it a cost to safety for visitors and natural and cultural resources.

Recommendations

In light of these systemic issues, PEER recommends that the Task Force focus on four ways to improve the law enforcement programs within the Department:

- Increase law enforcement staffing levels to where they were a decade ago in 2012. This would be a modest but significant bump from current levels;
- Ensure that all staff members receive standardized screening and professional training;
- Require the land use agencies to report crime and incident data; and
- Assess law enforcement needs every fiscal year.

Conclusion

By this testimony, PEER seeks to draw attention to what we believe are key dynamics affecting the future of Interior law enforcement. In moving forward, we urge decision-makers to equip themselves with information about their own law enforcement forces and the experience of other comparable agencies, such as the U.S. Forest Service.

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