

June 30, 2016

Background on CBP's Internal Review of 4 Use of Force Cases

The National Use of Force Review Board (UFRB) was created to bring transparency and accountability to Customs and Border Protection (CBP). Transparency about the UFRB's process, findings, and details regarding how any recommendations are being implemented is essential to make the Board an effective mechanism to build accountability and public trust. Like any other law enforcement agency, CBP must be held to the standards outlined by the [President's Task Force on 21st Century Policing](#).

For several years law-enforcement experts, from both the public and private sector, have urged CBP to adopt police best practices in order to ensure added transparency and accountability measures inside CBP. In 2013, the [Police Executive Research Forum \(PERF\)](#) was commissioned by CBP to conduct a review of the Use of Force by CBP officers and agents. This review included all CBP use of deadly force events from January 2010 through October 2012 and CBP use of force policies, equipment, tactics, and training and offered detailed recommendations for CBP to adopt.

Earlier this year, the [Homeland Security Advisory Council \(HSAC\)](#) issued 39 recommendations to streamline "CBP's broken disciplinary process from intake to final resolution of discipline, establishing a CBP-wide method to receive, track and respond to public complaints."

Critical questions about how CBP handles use of force cases

- What is the process of identifying use of force cases, reviewing them, investigating them, releasing the findings and then making them public?
- Why were these four particular cases singled out for review and investigation? What was the rationale? Why was there such a delay in making these findings public?
- Why are the Board's recommendations NOT being made public? What is the reasoning behind this?
- How can the public be confident that these recommendations are holding the agency accountable?
- Is there a timeline for CBP to implement the recommendations on use-of-force offered by PERF and the CBP Integrity Advisory Panel, convened by the Homeland Security Advisory Council?
- How many times has the UFRB met to date and how many cases total have been reviewed? The findings for four cases have been released today--when did the UFRB review these? What is the timeline for the public release of findings of the other cases that have been reviewed? Does CBP plan to issue UFRB findings on a monthly or quarterly basis in the future?
- Did CBP issue statements immediately (or within 24 hours) after each of the incidents from the cases reviewed by the UFRB and presented today? If not, why not - and what is the current policy addressing the timeline for issuing public statements after serious incidents?

