



DHS Use of Force Incidents

Fiscal Year 2022

Thomas Woermer
November 9, 2023



**Office of Homeland
Security Statistics**
U.S. Department of Homeland Security

Law Enforcement

Message from the Executive Director of the Office of Homeland Security Statistics

November 9, 2023



I am pleased to present the following report, “DHS Use of Force Incidents” for Fiscal Year 2022, which was prepared by the Office of Homeland Security Statistics (OHSS). OHSS is the DHS statistical unit established in September 2023 to perform independent statistical reporting. OHSS is led by the DHS Statistical Official. Its mission is to provide quality assurance and governance of Department-wide statistical data, support data-driven decision-making, and improve the efficiency and transparency of statistical reporting.

The report supports the goals of the Executive Order on Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety (E.O. 14074) and the 2023 Department Policy on Use of Force, which reinforce the importance of transparency through data collection and public reporting. The DHS Office of Inspector General (OIG) audit *DHS Lacks Oversight of Component Use of Force* (OIG-17-22) and U.S.

Government Accountability Office (GAO) audit *Use of Force Among Law Enforcement Personnel at DHS* (GAO-23-105927) note a lack of Component reporting, data standards, and data analysis on DHS use of force incidents. This report is a notable improvement in addressing the findings of the DHS OIG and GAO audits. OHSS will continue to coordinate with the DHS Law Enforcement Coordination Council (LECC) Use of Force Policy Subcommittee and Components to improve use of force data standards, analysis, and reporting.

The report provides breakdowns of the number of DHS use of force incidents, types of force used, and subject and officer injuries.

I am pleased to respond to any questions you may have. Please do not hesitate to contact us at ohss@hq.dhs.gov.

Sincerely,

Marc Rosenblum
DHS Statistical Official
Executive Director, Office of Homeland Security Statistics



DHS Use of Force Incidents – Fiscal Year 2022

Table of Contents

I. BACKGROUND	3
II. METHODOLOGY	5
III. DATA SUMMARY	6
SECTION 1. INCIDENT CATEGORIES.....	6
SECTION 2. SUBJECT AND OFFICER INJURIES	7
SECTION 3. TYPES OF FORCE USED.....	9
TABLE 1. DHS USE OF FORCE INCIDENTS BY CATEGORY: FY 2022	6
TABLE 2. SUBJECT(S) ASSAULT AGAINST OFFICER(S) DETAILS: FY 2022.....	6
TABLE 3. MARITIME VESSEL DISABLING FIRE DETAILS: FY 2022	7
TABLE 4. OFFICER(S) USE OF FORCE AGAINST SUBJECT(S) BY SUBJECT(S) INJURY: FY 2022	7
TABLE 5. OFFICER(S) USE OF FORCE AGAINST SUBJECT(S) WHERE SUBJECT(S) RESISTED OFFICER(S) BY SUBJECT(S) ARMED AND OFFICER(S) INJURED: FY 2022.....	8
TABLE 6. SUBJECT(S) ASSAULT AGAINST OFFICER(S) BY OFFICER(S) INJURED: FY 2022	8
TABLE 7. MARITIME VESSEL DISABLING FIRE BY SUBJECT(S) INJURY: FY 2022	9
TABLE 8. OFFICER(S) USE OF FORCE AGAINST SUBJECT(S) BY TYPES OF FORCE USED: FY 2022	9

I. Background

The Department of Homeland Security (DHS, or Department) is the largest federal law enforcement agency, with approximately 80,000 law enforcement officers (LEOs) across nine agencies and offices:

- U.S. Customs and Border Protection (CBP),
- U.S. Immigration and Customs Enforcement (ICE),
- U.S. Secret Service (USSS),
- U.S. Coast Guard (USCG),
- Transportation Security Administration (TSA) Federal Air Marshals Service (FAMS),
- Federal Protective Service (FPS),
- Federal Law Enforcement Training Centers' (FLETC) Office of Security and Professional Responsibility,
- Office of the Chief Security Officer (OCSO), and
- Federal Emergency Management Agency's (FEMA) Mount Weather Police Department.

Section 7 of the DHS [Policy on the Use of Force](#) outlines DHS Reporting Requirements and Incident Tracking. It is a DHS priority to ensure more consistent Department-wide reporting and tracking of use of force incidents. More consistent data will enable the Department to more effectively assess uses of force, conduct meaningful trend analysis, revise policies, and take appropriate corrective actions as needed.

Components are required to collect the following reportable use of force incidents and data:

1. Any injury or death to an officer, subject, or bystander;
2. Any use of deadly force against a person, to include when a firearm is discharged at a person;
3. Any intentional deployment of a less-lethal device against a subject, including canines, against a subject;
4. Any use of a vehicle, weapon, or physical tactic or technique that delivers a kinetic impact to a subject; and
5. For CBP, USCG, and ICE, any use of disabling fire against a maritime vessel or aircraft.

All Components are also required to participate in the Federal Bureau of Investigation's (FBI) [National Use of Force Data Collection](#) program and report such data to the FBI.

The USSS is not included in this report because they did not establish a system of record to collect the data outlined in the Department Policy on the Use of Force until Fiscal Year (FY) 2023. USSS will be added to the FY 2023 update to this report. The FLETC, OCSO, and FEMA did not have any use of force incidents in FY 2022.

A use of force is the intentional application by law enforcement of any weapon, instrument, device, or physical power to control, restrain, or overcome the resistance, or gain compliance or custody, of another. DHS categorizes uses of force into two types: deadly force and less-lethal force. DHS also specifies very limited circumstances in which warning shots and disabling fire can be used as less-lethal force.

- **Deadly force** is any use of force that carries a substantial risk of causing death or serious bodily injury (physical injury that involves protracted and obvious disfigurement; protracted loss or impairment of the function of a bodily member, organ, or mental faculty; or a substantial risk of death). Deadly force does not include force that is not likely to cause death or serious bodily injury, but unexpectedly results in such death or injury. In general, examples of deadly force include, but are not limited to, intentional discharges of firearms against persons, uses of impact weapons to strike the neck or head, any strangulation technique, strikes to the throat, and the use of any edged weapon.
- **Less-lethal force** is any use of force that is neither likely nor intended to cause death or serious bodily injury. This is also known as non-deadly, intermediate, or less-than-lethal force.
- A **warning shot** is the discharge of a firearm as a warning or signal, for the purpose of compelling compliance from an individual. A warning shot is not intended to cause bodily injury.
- **Disabling fire** is the discharge of a firearm for the purpose of preventing a non-compliant moving vehicle, vessel, aircraft, or other conveyance from operating under its own power. Disabling fire is not intended to cause bodily injury.

This report includes data on deadly force and less-lethal use of force incidents by DHS LEOs. The report includes details on the types of force used, such as firearms, less-lethal devices (e.g., electronic control weapons, impact weapons, certain chemical agents), and physical force (e.g., hands, fists, feet). Use of firearms against individuals is automatically considered deadly force. However, incident context is required to determine if the use of less-lethal devices was considered deadly or less-lethal use of force.

Except in very limited circumstances, DHS LEOs are prohibited from discharging firearms solely as warning shots or disabling fire. A notable exception includes use of warning shots and/or disabling fire in the maritime environment. When conducting maritime law enforcement operations, authorized USCG, CBP, and ICE personnel may discharge firearms to disable non-compliant moving vessels or other maritime conveyances. Such disabling fire is classified as less-lethal force. Maritime vessel disabling fire is reported separately from other less-lethal force in this report. There were no other FY 2022 incidents of warning shots or disabling fire.

In this report, an incident may include the use of force by one or more officers/subjects on one or more subjects/officers. One or more types of force may have been used one or more times in an incident. An incident may also involve any combination of officer(s) use of force against subject(s), subject(s) assault against officer(s), and disabling fire against a maritime vessel.

In FY 2023, the [Government Accountability Office \(GAO\)](#) recommended that DHS “provide guidance on how its component agencies submit data to DHS for the range of scenarios when force was used multiple times.” OHSS is coordinating with the DHS Law Enforcement Coordination Council to provide such guidance to improve data consistency and accuracy in the future. Section II includes additional information on how to interpret the counts of incidents, types of force used, and injuries in this report.

II. Methodology

The unit of measurement for this report is incidents except for Table 8 where the unit of measurement is uses of types of force. This report categorizes incidents into three types: officer(s) use of force against subject(s), subject(s) assault against officer(s), and maritime vessel disabling fire. If an incident falls into multiple categories – for example an officer(s) use of force against subject(s) and subject(s) assault against officer(s) – then the incident is counted in both categories. Tables 2 and 3 provide information on the number of officer(s) use of force against subject(s) incidents that were also subject(s) assault against officer(s) or maritime vessel disabling fire incidents.

- **Officer(s) use of force against subject(s)** is an incident in which one or more DHS LEOs applied force to one or more subjects.
- **Subject(s) assault against officer(s)** is an incident in which one or more subjects assaults one or more DHS LEOs.
- **Maritime vessel disabling fire** is an incident in which DHS LEOs disable a non-compliant subject vessel by discharging a firearm at the subject vessel's engine.

This report counts by incident rather than by officers, subjects, or times force was used. An incident may include one or more officers, one or more subjects, and the use of a type of force one or more times. This report does not capture these details and reports injuries and the use of a type of force once per incident.

Subject Injuries:

This report categorizes the worst subject injury per incident into four types: none, minor/first aid, serious/hospital, and death. If one subject experienced a minor injury and another subject experienced a serious injury in an incident, then only the serious injury is counted as it was the worst subject injury in the incident. If multiple subjects experienced the worst subject injury in the incident, for example death, then death is only counted once for that incident.

Subject Resistance:

Subject resistance includes failing to obey verbal direction that prevents the officer from taking lawful action, as well as non-violent and violent actions intended to facilitate an escape or prevent an arrest.

Types of Force Used:

This report categorizes the types of force used per incident into nine types. If an incident involved the use of a specific type of force – for example baton – multiple times and/or on multiple subjects, then that type of force is still only counted once for that incident. If an incident involved the use of multiple types of force – for example baton and canine – then each type of force is counted once for that incident.

III. Data Summary

SECTION 1. INCIDENT CATEGORIES

Table 1 summarizes DHS use of force incidents by Component and by category. In FY 2022, DHS LEOs used force against subjects in a total of 1,025 incidents, including 940 officer use of force incidents by CBP LEOs. Subjects assaulted DHS LEOs in a total of 538 incidents, including 523 incidents with assaults against CBP LEOs. DHS LEOs used maritime disabling fire in a total of 98 incidents, including 61 incidents by USCG LEOs.

Table 1.
DHS Use of Force Incidents by Category: Fiscal Year 2022

Component	Officer(s) Use of Force Against Subject(s)	Subject(s) Assault Against Officer(s)	Maritime Vessel Disabling Fire
CBP	940	523	37
ICE	55	15	0
FPS	9	0	0
TSA/FAMS	10	0	0
USCG	11	0	61
Total	1,025	538	98

Source: Office of Homeland Security Statistics analysis of CBP, ICE, FPS, TSA, and USCG data.

Table 2 summarizes subject assault against officer incidents by Component and by whether DHS LEOs used force against subjects during the incident. In FY 2022, DHS LEOs were assaulted in a total of 538 incidents. DHS LEOs used force against subjects in 327 of those incidents. Subjects assaulted DHS LEOs and there was no DHS LEO use of force against subjects in 211 incidents.

Table 2.
Subject(s) Assault Against Officer(s) Details: Fiscal Year 2022

Component	Category of Incident	Incidents
CBP	Subject(s) Assault Against Officer(s) Only	208
	Both Subject(s) Assault Against Officer(s) and Officer(s) Use of Force Against Subject(s)	315
ICE	Subject(s) Assault Against Officer(s) Only	3
	Both Subject(s) Assault Against Officer(s) and Officer(s) Use of Force Against Subject(s)	12
Total		538

Source: Office of Homeland Security Statistics analysis of CBP and ICE data.

Table 3 summarizes maritime vessel disabling fire incidents by Component and by whether DHS LEOs used force against subjects during the incident. In FY 2022, DHS LEOs used maritime vessel disabling fire in a total of 98 incidents. DHS LEOs used force against subjects in 3 of those incidents. DHS LEOs used maritime vessel disabling fire and there was no DHS LEO use of force against subjects in 95 incidents.

Table 3.
Maritime Vessel Disabling Fire Details: Fiscal Year 2022

Component	Category of Incident	Total
CBP	Maritime Vessel Disabling Fire Only	35
	Both Maritime Vessel Disabling Fire and Officer(s) Use of Force Against Subject(s)	2
USCG	Maritime Vessel Disabling Fire Only	60
	Both Maritime Vessel Disabling Fire and Officer(s) Use of Force Against Subject(s)	1
Total		98

Source: Office of Homeland Security Statistics analysis of CBP and USCG data.

SECTION 2. SUBJECT AND OFFICER INJURIES

Table 4 summarizes the worst subject injury experienced during officer use of force incidents. In FY 2022, subjects experienced minor injuries treated with first aid in 104 incidents and serious injuries treated in a hospital in 22 incidents. DHS LEOs use of force resulted in a subject death in 10 incidents. Subjects did not experience any injury in 889 incidents.

Table 4.
Officer(s) Use of Force Against Subject(s) by Subject(s) Injury: Fiscal Year 2022

Component	Minor/First Aid	Serious/Hospital	Death	None
CBP	91	17	5	827
ICE	12	3	4	36
FPS	1	2	0	6
TSA/FAMS	0	0	0	10
USCG	0	0	1	10
Total	104	22	10	889

Source: Office of Homeland Security Statistics analysis of CBP, ICE, FPS, TSA, and USCG data.

Table 5 summarizes a subset of officer use of force incidents where the subjects resisted DHS LEOs by Component, by whether the subject was armed, and by whether the officer was injured. In FY 2022, subjects resisted DHS LEOs in a total of 396 officer use of force incidents. Subjects were armed in 119 incidents. DHS LEOs were injured in 117 incidents.

Table 5.
Officer(s) Use of Force Against Subject(s) where Subject(s) Resisted Officer(s) by Subject(s) Armed and Officer(s) Injured: Fiscal Year 2022

Component	Officer(s) Injured	Subject(s) Armed	
		Yes ¹	No ²
CBP	Yes	16	82
	No	86	131
ICE	Yes	2	14
	No	8	30
FPS	Yes	1	0
	No	4	4
TSA/FAMS	Yes	0	2
	No	2	3
USCG	Yes	0	0
	No	0	11
Total	Yes	19	98
	No	100	179

¹ Includes bb/pellet gun, blunt instrument, chemical device, firearm, knife/edged weapon, laser/blinding, and projectile or rocks.

² Includes physically, spitting, threat, vehicle, and weapon/device grab.

Source: Office of Homeland Security Statistics analysis of CBP, ICE, FPS, TSA, and USCG data.

Table 6 summarizes subject assault against officer incidents by Component and by whether the officer was injured. In FY 2022, DHS LEOs were injured in 192 incidents.

Table 6.
Subject(s) Assault Against Officer(s) by Officer(s) Injured: Fiscal Year 2022

Component	Officer Injured	Officer Not Injured
CBP	181	342
ICE	11	4
Total	192	346

Source: Office of Homeland Security Statistics analysis of CBP and ICE data.

Table 7 summarizes the worst subject injury experienced during maritime vessel disabling fire incidents into four types: none, minor/first aid, serious/hospital, and death. In FY 2022, subjects experienced minor injuries treated with first aid in 1 incident and serious injuries treated in a hospital in 3 incidents as a direct result of maritime vessel disabling fire. One incident resulted in a subject death, but the death was the result of an officer use of force against the subject, not a direct result of the maritime vessel disabling fire. Subjects did not experience any injury in 93 incidents.

Table 7.
Maritime Vessel Disabling Fire by Subject(s) Injury: Fiscal Year 2022

Component	Incident Type	Subject(s) Injury				
		Minor/ First Aid	Serious/ Hospital	Death	None	Total
CBP	Maritime Vessel Disabling Fire Only	0	1	0	34	35
	Maritime Vessel Disabling Fire and Officer(s) Use of Force Against Subject(s)	0	0	0	2	2
USCG	Maritime Vessel Disabling Fire Only	1	2	0	57	60
	Maritime Vessel Disabling Fire and Officer(s) Use of Force Against Subject(s)	0	0	1	0	1
Total		1	3	1	93	98

Source: Office of Homeland Security Statistics analysis of CBP and USCG data.

SECTION 3. TYPES OF FORCE USED

Table 8 summarizes the types of force used by DHS LEOs during officer use of force incidents. The total types of force used is greater than the total officer use of force incidents because an incident can involve the use of multiple types of force – for example baton and canine.

Table 8.
Officer(s) Use of Force Against Subject(s) by Types of Force Used: Fiscal Year 2022

Component	Baton	Canine	Chem. Agent/ Spray/Impact Proj. ¹	ECW ²	CNLD Device ³	Firearm	Hands- Fists- Feet ⁴	VID/CTDD ⁵	Other ⁶
CBP	31	1	202	112	5	20	133	458	19
ICE	0	0	13	10	0	11	25	0	0
FPS	0	0	2	1	0	2	6	0	0
TSA/ FAMS	1	0	0	0	0	0	6	0	4
USCG	1	0	1	0	0	1	9	0	1
Total	33	1	218	123	5	34	179	458	24

¹ Chemical Agent/Pepper or Oleoresin Capsicum Spray/Impact Projectile.

² Electronic Control Weapon (Taser).

³ Controlled Noise and Light Distraction Device.

⁴ Physical force.

⁵ Vehicle Immobilization Device/Controlled Tire Deflation Device.

⁶ Vehicle (e.g., offensive driving technique or vehicle contact action), drawn use of force instrument (e.g., firearm) that is not used, and other force (e.g., striking with a blunt instrument).

Source: Office of Homeland Security Statistics analysis of CBP, ICE, FPS, TSA, and USCG data.

