



DHS Use of Force Incidents

Fiscal Year 2023

March 29, 2024



**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

March 29, 2024



I am pleased to present the following report, “DHS Use of Force Incidents” for Fiscal Year 2023, which was prepared by the Office of Homeland Security Statistics (OHSS). OHSS is the Department of Homeland Security (DHS) statistical unit established in September 2023 to perform independent statistical reporting. OHSS is led by the DHS Statistical Official. Its mission is to foster transparency and data-driven homeland security decision-making by analyzing and disseminating timely, objective DHS data and statistics.

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. As the second installment of the OHSS “DHS Use of Force Incidents” annual reporting function, this report sustains improvements made in addressing the findings of the DHS OIG and GAO audits regarding data collection and transparency. OHSS continues 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,

A handwritten signature in black ink, appearing to read 'M. Rosenblum', with a long horizontal line extending to the right.

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



DHS Use of Force Incidents Fiscal Year 2023

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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 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 data regarding reportable¹ use of force incidents and assaults against law enforcement officers:

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 FLETC, OCSO, and FEMA did not have any reportable use of force incidents in FY 2023.

DHS policy defines *use of force* as 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. DHS policy definitions are provided below, along with notable qualifications and exceptions:

¹ Reportable incidents include use of physical tactics or techniques that deliver a kinetic impact to a subject, such as strikes with hands, fists or feet. Use of physical tactics or techniques that do not deliver a kinetic impact, such as arm holds, are not reportable incidents.

- **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.²
- **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.³

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).

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.

² Except in limited circumstances, DHS LEOs are prohibited from discharging firearms solely as warning shots. Authorized USCG, CBP, and ICE personnel conducting maritime or aviation law enforcement operations may use warning shots only as a signal to (a) a vessel to stop or (b) an aircraft to change course and follow direction to leave the airspace. In both maritime and aviation operations, a warning shot may only be used after all other available means of signaling have failed. Such warning shots are classified as less-lethal force.

³ Except in limited circumstances, DHS LEOs are prohibited from discharging firearms solely to disable moving vehicles, vessels, aircraft, or other conveyances. Authorized USCG, CBP, and ICE personnel, when conducting maritime law enforcement operations, may discharge firearms to disable moving vessels or other maritime conveyances. Additionally, authorized USSS personnel exercising USSS’s protective responsibilities, and other authorized and appropriately trained DHS LEOs assigned to assist USSS, may discharge firearms to disable moving vehicles, vessels, and other conveyances, and such disabling fire is classified as less-lethal force, except when disabling fire is made against an aircraft in flight. Disabling fire against an aircraft in flight is permitted only in instances in which deadly force against the occupants of the aircraft is warranted or in response to the threat posed by the aircraft itself. Such uses of disabling fire are classified as deadly force.

II. Methodology

The unit of measurement for this report is incidents, except for Table 8 where the unit of measurement is types of force used. This report categorizes incidents into three types: officer(s) use of force against subject(s), subject(s) assault against officer(s), and forced compliance of vehicle(s) or vessel(s). 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 forced compliance of vehicle(s) or vessel(s) 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.
- **Forced compliance of vehicle(s) or vessel(s)**
 - *Maritime*: An incident in which DHS LEOs discharge a firearm as a warning and/or to disable a non-compliant subject maritime vessel.
 - *Motor Vehicle*: An incident in which DHS LEOs deploy a vehicle immobilization device (e.g., controlled tire deflation device) to disable a non-compliant motor vehicle.

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 eight 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 2023, DHS LEOs used force against subjects in a total of 585 incidents, including 472 officer use of force incidents by CBP LEOs. Subjects assaulted DHS LEOs in a total of 503 incidents, including 477 incidents with assaults against CBP LEOs. DHS LEOs used forced compliance of vehicles or vessels in a total of 690 incidents, including 632 incidents by CBP LEOs. In the FY 2022 report, vehicle immobilization devices, such as controlled tire deflation devices, were reported as officer(s) use of force against subject(s). In this report, all forced compliance of vehicles or vessels are reported in a single category. Additional details on the type of forced compliance used are included in Tables 3 and 7.

Table 1.
DHS Use of Force Incidents by Category: Fiscal Year 2023

Component	Officer(s) Use of Force Against Subject(s)	Subject(s) Assault Against Officer(s)	Forced Compliance of Vehicle(s) or Vessel(s)
CBP	472	477	632
ICE	78	22	0
FPS	4	0	0
TSA	10	0	0
USCG	11	4	58
USSS	10	0	0
Total	585	503	690

Source: Office of Homeland Security Statistics analysis of CBP, ICE, FPS, TSA, USCG, and USSS 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 2023, DHS LEOs were assaulted in a total of 503 incidents. DHS LEOs used force against subjects in 256 of those incidents. Subjects assaulted DHS LEOs and there was no DHS LEO use of force against subjects in 247 incidents.

Table 2.
Subject(s) Assault Against Officer(s) Details: Fiscal Year 2023

Component	Category of Incident	Incidents
CBP	Subject(s) Assault Against Officer(s) Only	238
	Both Subject(s) Assault Against Officer(s) and Officer(s) Use of Force Against Subject(s)	239
ICE	Subject(s) Assault Against Officer(s) Only	9
	Both Subject(s) Assault Against Officer(s) and Officer(s) Use of Force Against Subject(s)	13
USCG	Subject(s) Assault Against Officer(s) Only	0
	Both Subject(s) Assault Against Officer(s) and Officer(s) Use of Force Against Subject(s)	4
Total		503

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

Table 3 summarizes forced compliance of vehicles or vessels incidents by Component, by vehicle or vessel, and by whether DHS LEOs used force against subjects during the incident.⁴ In FY 2023, DHS LEOs used forced compliance of vehicles or vessels in a total of 690 incidents, the vast majority of which (n = 576) involved CBP’s deployment of immobilization devices (e.g., controlled tire deflation devices) against vehicles. DHS LEOs used force against subjects in 23 forced compliance of vehicles or vessels incidents. DHS LEOs used forced compliance of vehicles or vessels and there was no other DHS LEO use of force against subjects in 667 incidents.

Table 3.
Forced Compliance of Vehicle(s) or Vessel(s) Details: Fiscal Year 2023

Component	Category of Incident	Total
CBP	Forced Compliance of Vehicle(s) Only	576
	Both Forced Compliance of Vehicle(s) and Officer(s) Use of Force Against Subject(s)	18
	Forced Compliance of Vessel(s) Only	35
	Both Forced Compliance of Vessel(s) and Officer(s) Use of Force Against Subject(s)	3
USCG	Forced Compliance of Vessel(s) Only	56
	Both Forced Compliance of Vessel(s) and Officer(s) Use of Force Against Subject(s)	2
Total		690

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 2023, subjects experienced minor injuries treated with first aid in 105 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 448 incidents.

Table 4.
Officer(s) Use of Force Against Subject(s) by Subject(s) Injury: Fiscal Year 2023

Component	Minor/First Aid	Serious/Hospital	Death	None
CBP	77	10	8	377
ICE	19	9	2	48
FPS	3	0	0	1
TSA	0	0	0	10
USCG	4	0	0	7
USSS	2	3	0	5
Total	105	22	10	448

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

⁴ OHSS is working with DHS Components to report the use of warning shots, disabling fire, and other conveyance immobilization devices and techniques separately in future updates to this report.

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 2023, subjects resisted DHS LEOs in a total of 350 officer use of force incidents. Subjects were armed in 94 incidents. DHS LEOs were injured in 116 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 2023

Component	Officer(s) Injured	Subject(s) Armed	
		Yes ¹	No ²
CBP	Yes	10	71
	No	63	95
ICE	Yes	4	26
	No	9	39
FPS	Yes	1	0
	No	2	1
TSA	Yes	0	2
	No	0	6
USCG	Yes	1	1
	No	1	8
USSS	Yes	0	0
	No	3	7
Total	Yes	16	100
	No	78	156

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, USCG, and USSS data.

Table 6 summarizes subject assault against officer incidents by Component and by whether the officer was injured. In FY 2023, DHS LEOs were injured in 175 incidents.

Table 6.

Subject(s) Assault Against Officer(s) by Officer(s) Injured: Fiscal Year 2023

Component	Officer Injured	Officer Not Injured
CBP	160	317
ICE	13	9
USCG	2	2
Total	175	328

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

Table 7 summarizes the worst subject injury experienced during forced compliance of vehicles or vessels incidents. In FY 2023, for incidents where forced compliance of vehicles or vessels was the only type of force used, subjects experienced minor injuries treated with first aid in 12 incidents, serious injuries treated in a hospital in six incidents, and death in one incident. Subjects did not experience any injury in 648 incidents where forced compliance of vehicles or vessels was the only type of force used.

Table 7.
Forced Compliance of Vehicle(s) or Vessel(s) by Subject(s) Injury: Fiscal Year 2023

Component	Incident Type	Subject(s) Injury				
		Minor/ First Aid	Serious/ Hospital	Death	None	Total
CBP	Forced Compliance of Vehicle(s) Only	11	6	1	558	576
	Both Forced Compliance of Vehicle(s) and Officer(s) Use of Force Against Subject(s)	2	0	1	15	18
	Forced Compliance of Vessel(s) Only	0	0	0	35	35
	Both Forced Compliance of Vessel(s) and Officer(s) Use of Force Against Subject(s)	1	0	1	1	3
USCG	Forced Compliance of Vessel(s) Only	1	0	0	55	56
	Both Forced Compliance of Vessel(s) and Officer(s) Use of Force Against Subject(s)	2	0	0	0	2
Total		17	6	3	664	690

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 2023

Component	Baton	Canine	Chem. Agent/ Spray/Impact Proj. ¹	ECW ²	CNLD Device ³	Firearm	Hands-Fists- Feet ⁴	Other ⁵
CBP	31	4	198	99	12	18	118	19
ICE	0	0	4	22	0	5	53	1
FPS	0	0	0	2	0	1	2	0
TSA	0	0	0	0	0	0	8	2
USCG	0	0	3	0	0	0	8	0
USSS	0	0	0	10	0	0	0	0
Total	31	4	205	133	12	24	189	22

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

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

