



OFFICE OF
INSPECTOR GENERAL
U.S. DEPARTMENT OF THE INTERIOR



Investigation

U.S. Park Police Officers' Use of Force in Attempted Arrest and Fatal Shooting in Washington, DC

This is a revised version of the report prepared for public release



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REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

We investigated whether two U.S. Park Police (USPP) officers, Sergeant [REDACTED] (USPP Sergeant) and Officer [REDACTED] (USPP Officer), acted in accordance with U.S. Department of the Interior (DOI) and USPP policies in place at the time when they assisted DC Metropolitan Police Department (MPD) officers in their attempt to arrest Dalaneo Martin in Washington, DC, on March 18, 2023. We further investigated whether USPP Officer acted in accordance with DOI and USPP policies in place at the time when he subsequently fatally shot Martin. We concluded that neither USPP Sergeant nor USPP Officer violated DOI or USPP policies by assisting MPD in the attempted arrest of Martin. We also concluded that neither USPP Sergeant nor USPP Officer violated DOI or USPP policies in their uses of force against Martin, including USPP Officer's use of deadly force.

Specifically, we found that neither USPP Sergeant nor USPP Officer violated USPP policy by assisting MPD in the attempted arrest of Martin. We found that both officers were acting within the jurisdiction of USPP and responding to a potential crime for which they had arrest authority.

We also determined that neither USPP Sergeant's nor USPP Officer's actions violated DOI or USPP use of force policy when they attempted to arrest and extract Martin from the vehicle. We reached this conclusion because we determined that the force they used was objectively reasonable in light of the facts and circumstances confronting the officers at the time and that it constituted the minimum level of reasonable force necessary to control the situation while preserving the safety of the officers and others.

Finally, we found that USPP Officer's use of deadly force did not violate DOI or USPP policy because a preponderance of the evidence established that USPP Officer reasonably believed that Martin posed an imminent danger of death or serious bodily harm to him and others given the facts and circumstances confronting USPP Officer at the time.

In making these findings, our analysis was limited to the standards set forth in applicable USPP and DOI policies, which grant law enforcement officers broad, although not unbounded, discretion in carrying out their official duties. Importantly, DOI and USPP policies do not set forth the specific tactics and techniques USPP officers must use in every situation they might encounter while operating in the field. Thus, where we determined that the officers' actions fell within the discretion afforded them under DOI and USPP policies, we did not assess the officers' tactics and techniques or substitute our judgment for that of the officers.

We also recognize that the Federal Bureau of Investigation (FBI) investigated USPP Sergeant's and USPP Officer's actions with respect to the attempted arrest and subsequent shooting of Martin and presented its findings to the U.S. Department of Justice (DOJ). The DOJ declined to bring criminal charges against the officers on November 7, 2024. While we considered evidence from the FBI's investigation, it did not address whether the officers' conduct complied with DOI and USPP policies. To make that determination, we conducted our own investigation and independently evaluated the totality of the evidence in coming to our conclusions.

The appendix includes a timeline of the events discussed in this report.

We are providing this report to the Secretary of the Interior for any action deemed appropriate.

II. SCOPE AND METHODOLOGY

We examined the USPP officers' attempted arrest and uses of force against Martin in light of the relevant DOI and USPP policies in place at the time their actions occurred.¹

We analyzed whether USPP Sergeant's and USPP Officer's uses of force against Martin were in accordance with DOI's and USPP's use of force policies, which state that the "type and level of force used must be reasonable, depending on the dynamics of the situation" and that officers should "employ only the minimum level of reasonable force necessary to control a situation."² USPP policy also specifies that an officer may use deadly force "only when necessary, that is when the officer has a reasonable belief, in light of the facts and circumstances confronting the officer, that the subject of such force poses an imminent danger of death or serious bodily harm to the officer and/or to another person."³ DOI and USPP use of force policies incorporate the constitutional requirements of the Fourth Amendment. More specifically, they incorporate the standard articulated by the U.S. Supreme Court in *Graham v. Connor* and developed in subsequent court cases, which requires that officers' uses of force be "objectively reasonable" when viewed "in light of the facts and circumstances confronting them."⁴ Accordingly, we considered relevant court cases where they provided guidance in evaluating the officers' conduct here. Read together, these standards required us to consider whether the officers' uses of force were objectively reasonable given the facts and circumstances facing them at the time and, moreover, whether the officers used the minimum level of reasonable force necessary to control the situation. We also assessed whether the officers' actions were consistent with their training to inform our analysis regarding whether their uses of force were objectively reasonable.

DOI and USPP policies generally provide officers with significant discretion in carrying out their duties. As discussed more fully below, where we determined that the officers acted within the discretion afforded to them under these policies, we did not evaluate the particular tactics they employed.

In assessing whether the officers' actions on March 18, 2023, violated DOI and USPP policies, we also sought to provide a factual accounting of the events of that morning. To accomplish this, we interviewed the two USPP officers involved in the incident and a USPP lieutenant who instructed USPP officers in physical techniques and use of force at the Federal Law Enforcement Training Center (FLETC).⁵ We also reviewed USPP Sergeant's and USPP Officer's training records and training materials from FLETC as well as their USPP in-service training records. We examined the FBI's investigative files, including reports of the FBI's interviews of the USPP and MPD officers involved and photographs of USPP Officer's injuries. Similarly, we reviewed documents from MPD's Internal Affairs Division, which included event descriptions and summaries of interviews of the USPP and MPD officers involved in the incident on March 18, 2023. We also attempted to interview the MPD officers who were on the scene, but they declined our request for an interview.⁶ Finally, we reviewed footage from USPP Sergeant's and USPP Officer's body-worn cameras (BWCs) along with the BWC footage from one MPD officer. The three BWCs recorded the events discussed in this report.

In reaching our conclusions, we independently assessed the totality of the evidence to determine whether it was more probable than not that USPP Sergeant and USPP Officer violated relevant DOI and USPP policies.

¹ USPP's Use of Force policy has been republished with stylistic changes since the events described in this report. It remains substantively identical. See USPP, General Order (G.O.) 3615, "Use of Force," § 3615.02 (republished April 9, 2025; effective date Nov. 1, 2019).

² USPP, G.O. § 3615.02 (Nov. 1, 2019); see also DOI Departmental Manual (DM), Pt. 446, Ch. 20.7(B)(2) "Use of Force Guidelines" (Oct. 3, 2022) ("[Law enforcement officers (LEOs)] are permitted to use force that is reasonable in light of the totality of the circumstances.").

³ USPP, G.O. § 3615.05(A).

⁴ *Graham v. Connor*, 490 U.S. 386, 397 (1989).

⁵ This USPP lieutenant trained USPP Officer in use of force techniques, but USPP Sergeant was trained by a different instructor.

⁶ Our oversight jurisdiction is limited to DOI programs and operations. We do not have authority to evaluate the conduct of law enforcement officers from other agencies, and they have no obligation to consent to interviews with our office. DOI OIG does not have testimonial subpoena authority.

III. RESULTS OF INVESTIGATION

A. Facts

1. Background and Training

The National Park Service (NPS) is a bureau of DOI. It is charged with the care of the National Park System, including all national parks and monuments managed by DOI. USPP is a unit within NPS⁷ and conducts law enforcement activities throughout the National Park System and the District of Columbia. In Washington, DC, as described in more detail subsequently, USPP exercises concurrent law enforcement jurisdiction with the MPD, and USPP officers are accordingly authorized to patrol and to conduct arrests within Washington, DC.⁸

USPP Sergeant and USPP Officer were both USPP officers at the time of the events discussed in this report. USPP Sergeant joined USPP in 2012, and USPP Officer joined USPP in 2021. Both officers attended police officer training at FLETC. As part of their basic training at FLETC, both officers received instruction on traffic stops, arrest procedures and techniques, and officers' use of force. Both officers also completed 12 weeks of field training following completion of the FLETC program. During these 12 weeks, more experienced officers observed them while they completed a regular shift and provided feedback and guidance regarding their work.

USPP training records showed that the officers completed all required training. In particular, their training records reflected that USPP Sergeant and USPP Officer each received additional use of force training as required by DOI policy, which mandates that officers attend annual training on the use of force.⁹ USPP training records also showed that, as of March 18, 2023, both officers had most recently attended use-of-force training in 2022.¹⁰ According to the officers' personnel records, neither officer had ever been disciplined for improper use of force or other professional misconduct.

2. USPP Officer's and USPP Sergeant's Arrival on the Scene on March 18, 2023

On the morning of March 18, 2023, USPP Officer was assigned to USPP's District 5 Substation to patrol NPS lands within Washington, DC. USPP Sergeant was assigned as a Patrol Supervisor to supervise the patrol officers within District 5.

At approximately 8:47 a.m., MPD's dispatch center directed an MPD officer (MPD Officer 1) to investigate a report of a suspicious vehicle in a residential neighborhood at 34th Street and Baker Street, NE, Washington, DC. A woman had called 911 to report what she described as a stolen, white SUV in that area. When he arrived at the scene, MPD Officer 1 located the parked vehicle and observed that the vehicle's engine was audibly running and a man—later identified as Dalaneo Martin—was reclined in the driver's seat, apparently asleep.¹¹ After making this observation, MPD Officer 1 moved away from the vehicle and contacted the MPD dispatch center to request the assistance of additional officers.

Shortly thereafter, while on duty nearby, USPP Officer heard MPD Officer 1's call for assistance over his USPP

⁷ At the time of the events in this report, USPP was directly managed by NPS. On August 25, 2025, the Secretary of the Interior issued Secretarial Order 3440, which "realign[ed] the management structure of [USPP] by providing that the Chief of the USPP will report to and be directly supervised by the Secretary, or his designee," while providing that NPS would continue to provide administrative support to USPP. Secretary of the Interior Doug Burgum, SO 3440 - *Realignment of Supervision of the Chief, United States Park Police under the Secretary of the Interior, or His Designee* at 1 (Aug. 25, 2025).

⁸ DC Code § 5–201.

⁹ 446 DM 20.10(A) "Training" (Oct. 3, 2022).

¹⁰ USPP Officer attended the basic academy at FLETC from November 1, 2021, to February 7, 2022, and USPP Sergeant attended use of force refresher training on November 18, 2022. We reviewed the FLETC training materials used in these trainings. See Dept. of Homeland Sec., FLETC, *Student Text, Use of Force* (May 2021) (FLETC Use of Force Training); Dept. of Homeland Sec., FLETC, *Student Text, Vehicle Extractions* (April 2018) (FLETC Vehicle Extractions Training).

¹¹ None of the officers knew Martin's identity until after he was transported to the hospital. For clarity, however, we refer to him by name throughout the report.

radio.¹² USPP Officer then drove to MPD Officer 1's location. USPP Officer told us that, as he drove by MPD Officer 1, MPD Officer 1 motioned for USPP Officer to stop. Once stopped, MPD Officer 1 told USPP Officer and another MPD officer (MPD Officer 2), who had also arrived at the scene, that the vehicle appeared to have been stolen. MPD Officer 1 told the officers that the ignition had been "punched," meaning that the ignition lock cylinder had been damaged to forcibly start the vehicle without a key. MPD Officer 2 observed that the vehicle's rear passenger-side window was broken with plastic taped over it. MPD Officer 2 obtained the vehicle's identification number (VIN) from the front of the vehicle and asked the MPD dispatcher to check the VIN. MPD Officer 1 also had the MPD dispatcher check the vehicle's rear registration tag, which the dispatcher confirmed belonged to a different vehicle. MPD Officer 1 relayed that information to USPP Officer.

Next, USPP Officer approached the vehicle with MPD Officer 1 and MPD Officer 2 and saw that the occupant of the vehicle was in the driver's seat and appeared to be asleep. MPD Officer 1 told USPP Officer, "[I'm going to] see if this door is open. If it is, I'm gonna pull it open, I'm gonna grab him."¹³ MPD Officer 1 attempted to open the front passenger-side door, which was locked. USPP Officer and the two MPD officers moved away from the vehicle. At some point thereafter, and before the officers entered the vehicle to attempt to arrest Martin, MPD Officer 2 confirmed with the MPD dispatcher that the vehicle had been reported stolen by the owner on March 11, 2023.

USPP Sergeant, who was at the USPP District 5 Substation serving as the Patrol Supervisor, heard USPP Officer report on the USPP radio that he was at the scene and that there was a stolen vehicle. USPP Sergeant immediately drove to the scene to assist USPP Officer, arriving at approximately 9:15 a.m.¹⁴

When USPP Sergeant arrived at the scene, six MPD officers were present. An MPD officer (MPD Officer 3) told USPP Sergeant that the vehicle had been reported stolen and that the license plates belonged to a different vehicle. MPD Officer 3 also told USPP Sergeant that the vehicle's occupant was reclined in the driver's seat and appeared to be asleep and that the ignition had been "punched."¹⁵

3. USPP and MPD Officers Attempt to Secure the Vehicle and Arrest Martin

At approximately 9:24 a.m., USPP Sergeant, USPP Officer, MPD Officer 1, MPD Officer 2, and MPD Officer 3 began discussing different methods of securing the vehicle and arresting Martin. MPD Officer 2 stated that the vehicle was stolen and that the occupant had a hand in his waistband. USPP Sergeant told us that, based on his experience and training, a suspect with his hand in his waistband could have a weapon in his pants. Initially, USPP Sergeant proposed blocking in the vehicle by placing his USPP cruiser in front of the vehicle to prevent Martin from driving away and then arresting Martin. MPD Officer 2 rejected that proposal, telling USPP Sergeant that MPD was not allowed to "box in" vehicles.¹⁶ USPP Sergeant told us that, based on MPD Officer 2's statement, he understood that "they would not assist us in extracting the subject from the vehicle if I had blocked it in."¹⁷ As an alternative, MPD Officer 2 proposed that the officers attempt to arrest Martin without waking him up by quietly cutting the plastic covering the rear passenger-side window of the vehicle and then unlocking and opening the vehicle doors. If this approach was successful, the officers could then gain control of and arrest Martin.

¹² USPP Officer told us that "I have my car radio set to the jurisdiction that I'm in. . . . [S]o I had my car radio set to MPD." USPP Officer OIG Interview Transcript (USPP Officer Tr.) at 7:7–16.

¹³ USPP Officer BWC footage (USPP Officer BWC) at 9:06:03.

¹⁴ USPP Sergeant BWC footage (USPP Sergeant BWC) at 9:15:05.

¹⁵ USPP Sergeant BWC at 9:16:30.

¹⁶ USPP Sergeant BWC at 9:24:22 a.m. Though he did not explicitly say so, MPD Officer 2 was seemingly referring to a prohibition contained in MPD policy at the time. At the time of Martin's attempted arrest, MPD policy prohibited the use of roadblocks to block vehicles and moreover did not distinguish between moving or stationary vehicles. See MPD, G.O. OPS-301.03 (December 30, 2021) ("The use of roadblocks is prohibited. The only exception to this rule is in cases involving imminent threat of death or serious bodily injury, when no other options are feasible."). Approximately four months after the attempted arrest and deadly shooting of Martin, MPD revised its policy to allow "[b]locking stationary vehicles . . . to protect the public from serious bodily injury or death." MPD, G.O. OPS-301.03(II)(A)(7) (July 30, 2023). USPP policy did not—and still does not—prohibit blocking stationary vehicles. See *generally* USPP, G.O. 2205 "Vehicular Pursuits" (June 8, 2018).

¹⁷ USPP Sergeant OIG Interview Transcript (USPP Sergeant Tr.) at 18:21–23 (Feb. 6, 2025).

USPP Sergeant and USPP Officer agreed to assist MPD using MPD Officer 2's plan. USPP Officer told us that, at the time, he believed that USPP Sergeant's plan was the safer option, but because MPD was "primary" on the scene, he and USPP Sergeant ultimately decided to assist the MPD officers in executing their plan.¹⁸

After agreeing to the plan, MPD Officer 1, MPD Officer 2, USPP Sergeant, and USPP Officer approached the vehicle.¹⁹ MPD Officer 1 approached the front driver-side door and gestured for USPP Sergeant to approach the rear driver-side door, which he did. At the same time, MPD Officer 2 and USPP Officer approached the rear passenger-side door. USPP Officer told us that he understood his role was to push Martin out of the vehicle from the rear passenger side while officers on the driver's side pulled him out. USPP Officer told us that MPD Officer 2 "signaled for me to go in" the rear passenger side door and that USPP Officer followed that signal because "that was the plan."²⁰

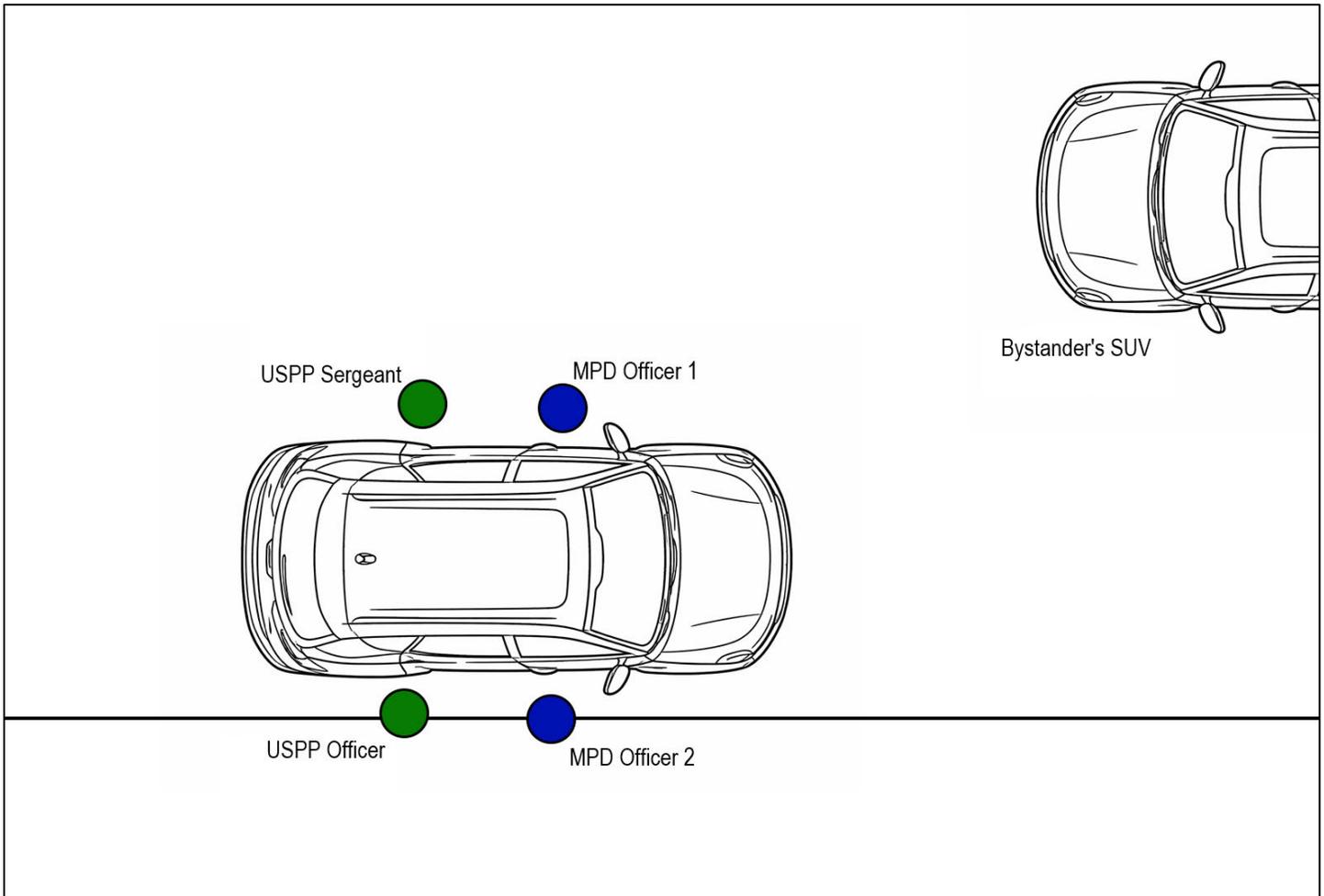
At 9:30:19 a.m., once USPP Sergeant, USPP Officer, and MPD Officers 1 and 2 surrounded the vehicle, MPD Officer 2 quietly cut the plastic that was covering the broken rear passenger-side window. Once he finished cutting through this plastic, at 9:30:23 a.m., MPD Officer 2 reached through the plastic over the rear passenger-side door, which he unlocked and opened. At 9:31:45 a.m., MPD Officer 2 leaned into the vehicle through the rear passenger-side door and, using his baton, reached toward the interior of the front passenger-side door and pressed the power window button, which lowered the front passenger-side window. While he was doing this, at 9:32:05 a.m., a pedestrian crossed the street directly in front of the vehicle. After lowering the front passenger-side window, at 9:32:25 a.m., MPD Officer 2 reached his right hand through the open window and unlocked the door while he pointed to the other officers with his left hand, gesturing at them to be ready to enter the vehicle. At the same time, an SUV driven by a bystander approached the scene from the opposite direction, coming to a stop ahead of the stolen vehicle on the opposite side of the road.

¹⁸ USPP Officer Tr. at 11:3–19, 17:3-5.

¹⁹ While six MPD officers were present at the scene, only MPD Officer 1 and MPD Officer 2 physically participated in the officers' initial attempt to apprehend Martin. Two other MPD officers moved away from the vehicle to intercept Martin if he fled on foot, and another two stood back from the attempted arrest.

²⁰ USPP Officer Tr. 17:14–18:9.

Figure 1: Officers' Positions on Baker Street NE at Beginning of Attempted Arrest (9:32:30 a.m.)



At 9:32:30 a.m., the officers opened the doors to the vehicle, and USPP Officer entered the vehicle through the rear passenger-side door while USPP Sergeant and MPD Officer 1 attempted to grab Martin's hands by reaching through the rear and front driver-side doors. At 9:32:31 a.m., the officers announced themselves as law enforcement, shouting, "Police! Don't move!" It was at this point that Martin appeared to be awakened by the officers. The officers then instructed Martin "Don't move!" at least 10 times over the next five seconds.

Once the officers opened the vehicle doors, MPD Officer 1 grasped Martin's left shoulder and left arm and attempted to remove Martin from the vehicle through the front driver-side door. USPP Sergeant reached in from the rear driver-side door and attempted to restrain Martin's right arm to assist MPD Officer 1 in extracting Martin from the vehicle. From the rear seat of the vehicle, USPP Officer grabbed Martin's right arm and attempted to put that arm behind Martin's back and keep it away from the gear shift. Martin physically resisted the officers, pulling against their grips and, at 9:32:39 a.m., pulled his right arm free from USPP Officer's grip and used it to shift the vehicle into drive.

Martin began driving away from the scene in the stolen vehicle at 9:32:40 a.m. At the same time, the bystander's SUV that had parked across the street began to drive towards the scene, passing the suspect's vehicle and the officers. As Martin was driving away, although USPP Sergeant was outside the vehicle, his arm was stuck inside. USPP Sergeant told us that he tried to run with the vehicle, but Martin accelerated too quickly for him to keep up. BWC footage showed that USPP Sergeant was dragged with the vehicle for approximately two seconds before falling to the road and hitting his head at 9:32:42 a.m. USPP Sergeant fell face-first onto the road sliding between Martin's vehicle and the bystander's SUV before he came to a stop. As Martin accelerated, the momentum of the accelerating vehicle closed all of its open doors. USPP Officer, who had

entered the rear passenger-side door in an attempt to gain control of Martin from the back seat, was unable to get out of the vehicle. USPP Officer told us that he “was tossed back and the vehicle was driving erratically” and that he “had wedged my right leg behind the front passenger’s seat and my left knee or shin kind of behind the driver’s seat to stop me from getting tossed around in the back.”²¹ USPP Officer also told us that, as Martin was driving, he was not able to get out of the vehicle because “once the car went into drive, my body just flew back. And all the doors shut.”²²

4. USPP Officer’s Use of Deadly Force Against Martin

Martin drove the vehicle away from the scene heading east on Baker Street, NE, with USPP Officer trapped in the back seat of the vehicle. At 9:32:43 a.m., USPP Officer continued to grab Martin’s shoulder and shouted at Martin to “Stop!” USPP Officer then fell backwards into the back seat as Martin shouted, “Get off me!” Martin continued driving east on Baker Street. At 9:32:47 a.m., USPP Officer again shouted at Martin to “Stop!” Martin did not stop or slow down. Martin then ran a stop sign while turning left onto Kenilworth Avenue, NE. At 9:32:51 a.m., USPP Officer told Martin, “Stop, man, just let me out. Just let me out!” Martin again ignored USPP Officer and did not stop the vehicle.

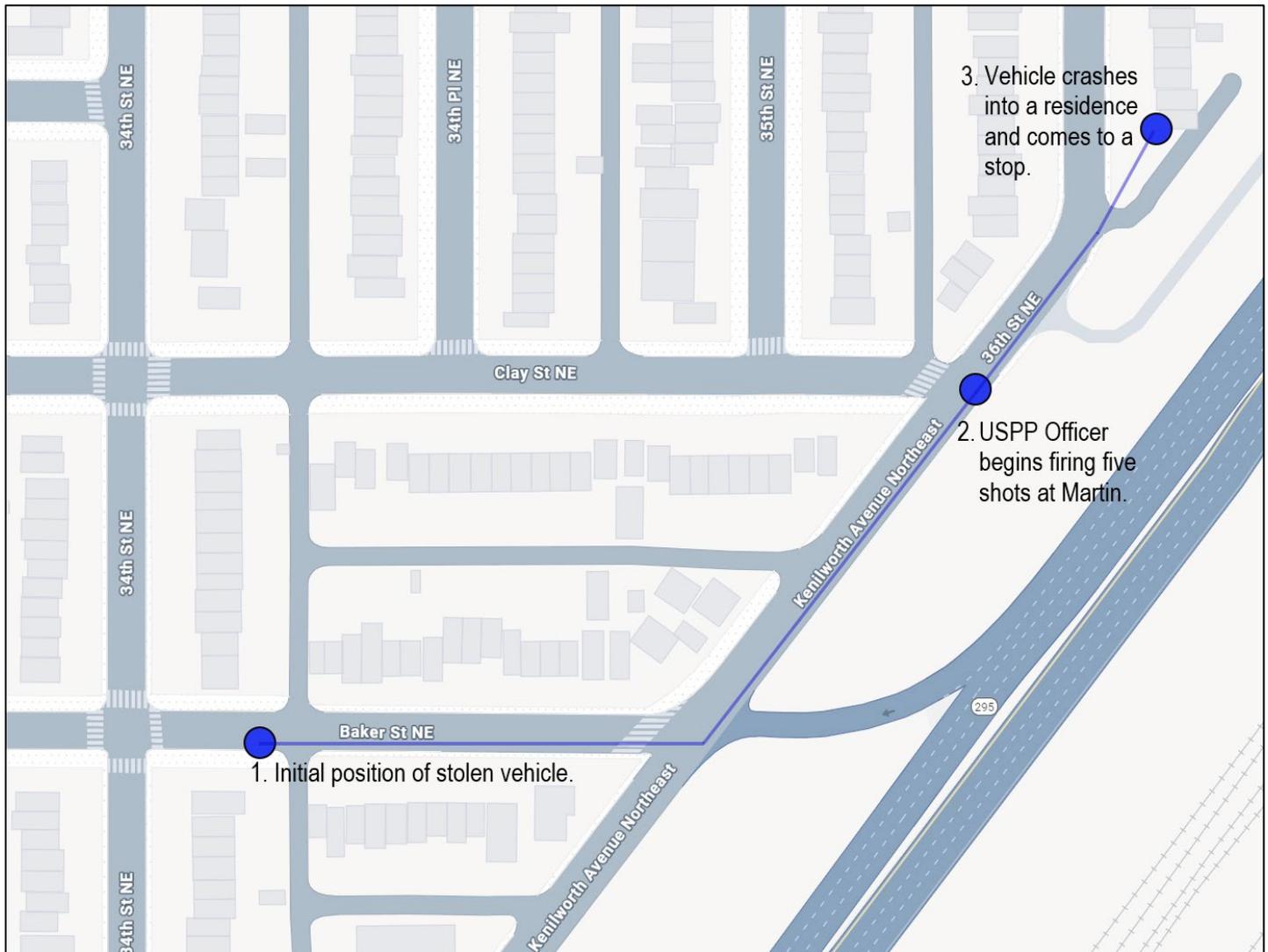
At 9:32:53 a.m., Martin continued driving on Kenilworth Avenue, NE, at a speed of at least 40 miles per hour and continued to accelerate. The speed limit on Kenilworth Avenue, NE, where Martin was driving was 20 miles per hour.²³ At 9:32:54 a.m., at an intersection where Kenilworth Avenue, NE, becomes 36th Street, NE, USPP Officer shouted at Martin to “Stop or I’ll shoot!” Immediately thereafter—approximately 24 seconds after the officers gained entry into the stolen vehicle and began attempting to arrest Martin—USPP Officer fired five shots into Martin’s back with his service weapon.

²¹ USPP Officer Tr. at 24:15–20 (Feb. 6, 2025).

²² USPP Officer Tr. 25:7–16.

²³ DC Municipal Regulations (DCMR) specify that “[o]n all streets and highways, unless otherwise designated in accordance with [speed limit notice signs authorized by DCMR 18-2200.2], the maximum lawful speed shall be twenty miles per hour (20 mph).” DCMR 18-2200.6 (adopted Sep. 25, 2020). We did not find evidence that any other speed limit was or is designated in the residential neighborhood in which the events in this report occurred.

Figure 2: Vehicle's Route From Initial Parked Position to Crash Site



After USPP Officer shot Martin, Martin lost control of the vehicle at the intersection of Kenilworth Avenue/36th Street, NE, and Clay Street, NE.

The vehicle continued moving along 36th Street, NE, for approximately three seconds until the road curved, at which point the vehicle jumped a curb and went up a hill into a rowhouse's front yard, crashing into the home located at 315 36th Street, NE, at 9:32:58 a.m. The vehicle crashed through the rowhouse's brick wall and came to a stop with approximately the front quarter of the vehicle in the rowhouse's interior. There was one person inside the home at the time of the crash. No bystanders in or outside of the house were injured. From its initial position on Baker Street to the crash site, the vehicle traveled approximately 960 feet.

During the time that Martin was driving, USPP Sergeant was running back to his USPP vehicle. He arrived at his USPP vehicle at 9:33:06 a.m. and began pursuing Martin. MPD Officer 1, MPD Officer 2, and two other MPD officers present at the initial arrest scene also pursued Martin in their vehicles.

During his interview, USPP Officer told us that his decision to shoot Martin was based on "the severity of the crime [i.e., a stolen vehicle], felony fleeing, and danger to officers and others."²⁴ USPP Officer stated that he had seen USPP Sergeant being dragged by the vehicle as Martin drove away from the scene and that he did

²⁴ USPP Officer Tr. 26:25–27:5.

not know at the time if USPP Sergeant was still “latched” to the vehicle as it drove away.²⁵ When we asked USPP Officer how fast the vehicle was going, USPP Officer told us that he did not know, but that it “felt like 70” miles per hour.²⁶ USPP Officer also told us that, despite his repeated attempts to get Martin to stop and let him out of the vehicle, Martin “didn’t stop. He didn’t lay off the gas at all.”²⁷ USPP Officer also told us that he believed that Martin’s actions were putting him and others, including USPP Sergeant and bystanders, in immediate danger of death or serious injury: “[I was] pleading for him to stop. He wasn’t stopping. He was driving recklessly. . . . I didn’t know the status of my supervisor [USPP Sergeant], if he was still connected to the car or not. And if he would have got to Benning Road, I mean, that’s a straightaway, there’s no doubt in my mind that vehicle would have gone 100 [miles per hour]-plus and we all would have died.”²⁸

5. Events Occurring After the Crash

After the vehicle crashed into the rowhouse, USPP Officer exited the vehicle at 9:33:02 a.m. USPP Officer immediately reported “shots fired” over his radio to USPP dispatch and requested that emergency medical services (EMS) be sent to the scene. USPP Officer saw that Martin was motionless but kept his service weapon pointed towards Martin until the other officers arrived.

USPP Sergeant arrived at the scene at 9:33:40 a.m., and four other MPD officers arrived at approximately the same time. At 9:34:28 a.m., USPP Sergeant entered the crashed vehicle and shifted the vehicle into park. USPP Sergeant reported to USPP Officer, who at the time was communicating with USPP dispatch by radio, that Martin had visible gunshot wounds to the stomach. USPP Sergeant also reported his own head and hand injuries to USPP dispatch.

At 9:35:24 a.m., USPP Sergeant requested that the MPD officers nearby bring medical supplies to apply pressure to Martin’s abdomen. USPP Sergeant then began removing Martin from the vehicle to render medical aid. USPP Sergeant extracted Martin from the vehicle and laid him down on the ground at 9:37:32 a.m., at which point USPP Sergeant immediately requested medical supplies again and attempted to dress Martin’s wounds. Once USPP Sergeant had covered the wounds, he began chest compressions on Martin and requested an automated external defibrillator (AED) to attempt to restore Martin’s normal heart rhythm. USPP Officer took over performing chest compressions at 9:41:48 a.m.

At approximately 9:42 a.m., DC Fire and EMS arrived at the scene and took over administering emergency medical care to Martin. Attempts to save Martin’s life were unsuccessful. EMS pronounced Martin dead at 9:48 a.m.

USPP Sergeant and USPP Officer were transported to the Washington Hospital Center and treated for their injuries. USPP Officer suffered a contusion and swelling to his right elbow and pain in his head. USPP Sergeant suffered abrasions to both hands and a contusion with hematoma on his forehead.

MPD forensic scientists responded to the scene and recovered a semi-automatic pistol from the driver’s side floorboard. The pistol had one round in the chamber and nine rounds in the magazine.

Pursuant to USPP policy,²⁹ USPP placed USPP Sergeant and USPP Officer on non-contact status—removal from regular duties and restricted contact with the public pending the completion of our investigation. The FBI investigated USPP Officer’s actions with respect to the attempted arrest and deadly shooting of Martin, and, after it referred its findings, on November 7, 2024, DOJ declined to bring criminal charges.

²⁵ USPP Officer Tr. 25:20–22.

²⁶ USPP Officer Tr. 26:20–21.

²⁷ USPP Officer Tr. 26:12–13.

²⁸ USPP Officer Tr. 27:7–15.

²⁹ USPP, G.O. 3601 “Firearms,” § 3601.04(H)(6) (Sep. 30, 2016).

B. Findings

We found that neither USPP Sergeant nor USPP Officer violated DOI or USPP policy by assisting MPD in the attempted arrest of Martin or in their uses of force against Martin.

We analyzed the USPP officers' uses of force as two separate instances. First, we analyzed USPP Sergeant and USPP Officer's conduct in assisting the MPD officers in their attempt to arrest Martin. Next, we looked at USPP Officer's use of deadly force against Martin.

As discussed in detail below, we concluded that: (1) the USPP officers acted within their authority when they assisted MPD in attempting to arrest Martin; (2) the USPP officers' uses of force in attempting to arrest and extract Martin from the vehicle did not violate DOI or USPP policy; and (3) USPP Officer's use of deadly force against Martin did not violate DOI or USPP policy.

In coming to our conclusions, we assessed the officers' uses of force in light of DOI and USPP policies in place on March 18, 2023, the date on which the officers' actions occurred. We did this by examining the totality of the evidence available to us under a "more probable than not" standard, i.e., whether the evidence supported a finding that it was "more probable than not" that the officers complied with DOI and USPP policies.

We note that the USPP's use of force policy defines what constitutes an officer's use of force broadly, to include verbal commands, physical force, and deadly force.³⁰

We also emphasize that, in light of the myriad situations law enforcement officers encounter while operating in the field, USPP use of force policy grants officers wide (though not unfettered) discretion regarding how they conduct their law enforcement operations. That is, USPP policies do not set forth the specific tactics and techniques USPP officers must use in every situation they might encounter that could conceivably fall within the policy in question. Our analysis is therefore limited to the standards set forth in applicable law and policy. We do not assess the officers' discretionary tactics and techniques or substitute our judgment for that of the officers. In particular, we did not assess the officers' decision not to block in the stolen vehicle with a USPP vehicle and, as a consequence, potentially to attempt the arrest without MPD support. Similarly, we did not assess the officers' decision to enter the vehicle to arrest Martin (beyond our analysis of the appropriateness of using physical force). Finally, we did not assess whether the officers should (or should not) have used various other tactics or techniques. Instead, our analysis is limited to whether the officers acted appropriately in responding to the scene at all and whether they used reasonable levels of force with respect to Martin.

1. *The USPP Officers Acted Within Their Authority When They Assisted MPD in Attempting to Arrest Martin*

We determined that neither USPP Sergeant nor USPP Officer violated USPP policy by assisting MPD in the attempted arrest of Martin. We found that both officers were acting within the jurisdiction of USPP and responding to a crime for which they had arrest authority.

Pursuant to both the DC Code and USPP policy, USPP officers in Washington, DC, "have and perform the same powers and duties as [MPD]" even outside of NPS property.³¹ USPP officers are governed by USPP policy—not MPD's—when operating within Washington, DC. We identified no law or policy requiring USPP officers to leave the scene of a crime if MPD officers are already present or in the absence of a direct Federal interest at stake.

Like MPD officers, USPP officers in Washington, DC, may enforce DC laws and regulations by means of arrest against a person "whom the officer has probable cause to believe has committed or is committing a felony."³²

³⁰ USPP, G.O. § 3615.03 (Nov. 1, 2019); *see also id.* §§ 3615.02 (Nov. 1, 2019) (discussing the various levels of force), 3615.04 (Nov. 1, 2019) (discussing the various responses).

³¹ DC Code § 5–201; *see also* DC Code § 5–206; USPP, G.O. § 2101, "Arrest Authority," § 2101.05 (Oct. 25, 2017) (enumerating instances in which USPP officers may arrest suspects within DC); *Estate of Carter v. District of Columbia*, 903 F. Supp. 165, 168 (D.D.C. 1995) (noting that the U.S. Park Police has "independent authority to patrol and make arrests anywhere within the District of Columbia").

³² USPP, G.O. § 2101.05(A) (Oct. 25, 2017); *see also* DC Code § 5–206.

Under DC law, a person commits the felony of “unauthorized use of a motor vehicle” (i.e., motor vehicle theft) “if, without the consent of the owner, the person takes, uses, or operates a motor vehicle . . . for his or her own profit, use, or purpose.”³³ In addition, under USPP policy, USPP officers are authorized to “arrest, based on probable cause,” for attempted unauthorized use of a motor vehicle “committed outside of [the officer’s] presence if, unless immediately arrested, the person may not be apprehended, may cause injury to others, or may tamper with, dispose of, or destroy evidence.”³⁴ For purposes of an arrest, probable cause “exists if a reasonable and prudent police officer would conclude from the totality of the circumstances that a crime has been or is being committed.”³⁵

USPP Sergeant and USPP Officer responded to MPD’s request for assistance at a location in the District of Columbia, which is within USPP’s jurisdiction. After arriving at the scene, the officers learned that the vehicle had been stolen, that the license plates on the vehicle belonged to a different vehicle, that the ignition had been “punched” to force the car to start, and that the rear window had been broken and covered with plastic. USPP Sergeant told us that the stolen car had “tags from another, which means they knew it was stolen and put new tags or received it that way.” Based on the totality of this evidence, a reasonable and prudent officer could conclude that Martin had committed and was continuing to commit the felony of unauthorized use of a motor vehicle. Thus, we concluded that USPP Sergeant and USPP Officer had probable cause to arrest Martin.

Because USPP Sergeant and USPP Officer acted within USPP’s jurisdiction to enforce criminal law in the District of Columbia and had probable cause to arrest Martin, we determined that their actions in assisting the MPD in its attempts to arrest Martin did not violate USPP policy.

2. *The USPP Officers Did Not Violate DOI or USPP Use of Force Policies When They Attempted to Arrest and Extract Martin From the Vehicle*

We determined that neither USPP Sergeant nor USPP Officer’s actions violated DOI or USPP use of force policy when they attempted to arrest and extract Martin from the vehicle.

a. *Applicable Standards and Officer Training*

Consistent with Federal law, DOI and USPP policy require that an officer’s use of force at least be “objectively reasonable” in light of the facts and circumstances confronting the officer at the time.³⁶ In addition, USPP policy imposes a stricter standard, requiring that officers use “only the minimum level of reasonable force necessary to control a situation.”³⁷

“The ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on the scene, and its calculus must embody an allowance for the fact that police officers are often forced to make split-second decisions about the amount of force necessary in a particular situation.”³⁸ Both DOI and USPP policy reference the U.S. Supreme Court’s decision in *Graham v. Connor*, 490 U.S. 386 (1989),³⁹ which sets forth factors to consider in determining whether an officer’s use of force is “objectively reasonable” under the circumstances. These factors include “the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officer or others, and whether he is actively resisting arrest or attempting

³³ DC Code § 22–3215(b). Because unauthorized use of a motor vehicle carries a maximum sentence greater than one year imprisonment, DC Code § 22–3215(d), it is a felony in DC. See District of Columbia Sentencing Commission, *Voluntary Sentencing Guidelines Manual* § 10.16.

³⁴ USPP, G.O. § 2101.05(C) (Oct. 25, 2017).

³⁵ *Burney v. Suggs*, 630 F. Supp. 3d 20, 28 (D.D.C. 2022) (internal quotation omitted).

³⁶ 446 DM 20.7 (Oct. 3, 2022); USPP, G.O. § 3615.02 (Nov. 1, 2019).

³⁷ USPP, G.O. § 3615.02 (Nov. 1, 2019).

³⁸ *Id.*

³⁹ See 446 DM 20.7 (Oct. 3, 2022); USPP, G.O. § 3615.02 (Nov. 1, 2019) (each citing *Graham v. Connor*, 490 U.S. 386, 396–97 (1989)).

to evade arrest by flight.”⁴⁰ *Graham* makes clear, however, that there is no mechanical test for determining whether a particular use of force is reasonable. Instead, it “requires careful attention to the facts and circumstances of each particular case.”⁴¹

Other factors that USPP officers are trained to consider include whether the force applied may result in injury to the suspect; the presence of innocent bystanders who could be harmed by the officer’s use of or failure to use force; the number of suspects and officers at the scene; the duration of the law enforcement action; the size, age, and condition of the officer and suspect; and the availability of officer weapons.⁴² Training records show that both USPP Sergeant and USPP Officer attended annual use of force training at FLETC and that the training they received instructed officers on the factors considered in assessing the reasonableness of an officer’s use of force.⁴³ This training also cautioned officers against “unnecessary hesitation” in applying force, advising that it is “critical to be proactive” and to “be on the action side of an incident and not on the reaction side.”⁴⁴

USPP policy additionally imposes a stricter standard on officer conduct than the “objectively reasonable” standard required by Federal law. Specifically, USPP policy also requires that officers use “only the minimum level of reasonable force necessary to control a situation.”⁴⁵ USPP policy does not define the “minimum level of reasonable force necessary to control a situation” but instead identifies five “levels of response” depending on the circumstances confronting the officer at the time.⁴⁶ These levels of response include:

- “cooperative controls,” such as verbal commands and non-verbal actions like tone, gestures, and facial expressions;
- “contact controls” and “compliance techniques” for when a subject is resisting an officer, such as escorting, “takedowns,” or the use of chemical sprays;
- “defensive tactics” for when a subject is assaulting or attempting to assault an officer or another person, which may include striking or blocking the subject in a manner unlikely nor designed to cause serious injury or death; and
- “deadly force,” the highest level of response, taken when an officer reasonably believes that the subject of such force poses an imminent danger of serious physical injury or death to the officer or another person, which includes the discharge of a firearm and other forms of lethal force.

The policy states that officers “shall, if possible, first attempt to defuse a situation through advice, warning, verbal persuasion, tactical communication, and other de-escalation and conflict negotiation techniques” before resorting to physical uses of force.⁴⁷ The policy also recognizes, however, that officers are often placed in dangerous situations, stating that “[i]n all cases, officer safety shall be preserved,”⁴⁸ and that “[o]fficers shall escalate and de-escalate their level of response in accordance with the actions of a subject.”⁴⁹ Thus, USPP policy does not require officers to use each successive level of response before moving on to the next but rather allows for officer discretion depending on the circumstances the officer is facing. In light of these provisions, we determined that the policy’s requirement that an officer use “the minimum level of reasonable force necessary to control a situation” means that the force an officer uses must be the least amount of reasonable force necessary to accomplish the law enforcement purpose the officer is seeking to effect given

⁴⁰ *Id.* at 396.

⁴¹ *Id.*

⁴² FLETC Use of Force Training at 29.

⁴³ FLETC Use of Force Training at 7–8.

⁴⁴ FLETC Use of Force Training at 23.

⁴⁵ USPP, G.O. § 3615.02 (Nov. 1, 2019).

⁴⁶ *See* USPP, G.O. §§ 3615.03, 3615.04 (Nov. 1, 2019).

⁴⁷ USPP, G.O. § 3615.04 (Nov. 1, 2019).

⁴⁸ USPP, G.O. § 3615.03 (Nov. 1, 2019).

⁴⁹ USPP, G.O. § 3615.04 (Nov. 1, 2019); *see also id.* § 3615.04 (Nov. 1, 2019) (“The goal is to gain the voluntary compliance of a subject, when appropriate and consistent with personal safety, to reduce or eliminate the necessity to use force.”).

the circumstances the officer is facing at the time.

Finally, both USPP Sergeant and USPP Officer also received training on removing a subject from a vehicle during an arrest.⁵⁰ While this training did not cover the precise circumstances USPP Sergeant and USPP Officer encountered on March 18, it did cover obstacles and safety concerns in removing noncompliant subjects from vehicles; recognizing indicators of violent vehicle occupants; and techniques for removing suspects from vehicles.⁵¹ For example, the training instructed that when attempting to remove a subject from a vehicle, the officer's "first priority should be securing the suspect's hands/arms."⁵²

b. Analysis of the Officers' Attempted Arrest of Martin

In evaluating USPP Sergeant's and USPP Officer's conduct under the applicable standards and training they received, we found that the actions they took in attempting to arrest Martin and extract him from the vehicle did not violate DOI or USPP policy.⁵³ We determined this because the force they used was objectively reasonable in light of the facts and circumstances confronting the officers at the time and because it constituted the minimum level of reasonable force necessary to control the situation.

As discussed above, USPP Sergeant and USPP Officer had probable cause to believe that Martin had committed the felony of unauthorized use of a motor vehicle, and thus, had the legal authority to arrest Martin. The officers' initial use of force consisted of verbal commands while simultaneously applying contact controls and compliance techniques.

At the time the officers attempted their arrest, Martin appeared asleep in the driver's seat of a running, stolen vehicle, with his hand in his waistband. Upon opening the vehicle's doors, the officers shouted "Police!" and repeated several times "Don't move." The officers then attempted to gain control of Martin by physically pulling him from the vehicle. At this point, Martin appeared to wake up and immediately began resisting the officers' attempts to arrest him. Martin pulled his arms against the officers' grasps, trying to free his arms as the officers warned him not to move. USPP Sergeant and MPD Officer 1 then grabbed Martin's left arm and shoulder and began pulling him in an attempt to force him out of the vehicle. At the same time, USPP Officer tried grabbing Martin's right arm and pulling it behind his back to prevent Martin from reaching the gear shift. Despite the officers' efforts, Martin continued to actively resist the officers' attempts to gain control of him and arrest him. At the time the officers exerted this force, the officers knew that Martin had not complied with their verbal warnings and commands, was resisting the officers' attempts to physically restrain him, and was in a stolen, running vehicle in a residential neighborhood in which bystanders were walking nearby, and at least one of the officers (USPP Sergeant) suspected that Martin might have a weapon.⁵⁴

Based on these facts and the totality of the circumstances facing the officers at the time, we concluded the force the officers used here was "objectively reasonable" under the *Graham* factors. As to the first *Graham* factor, the severity of the crime, USPP Sergeant and USPP Officer reasonably believed that Martin had committed a felony: unauthorized use of a motor vehicle. As to the second *Graham* factor, the threat of harm to officers or others, the officers had articulable reasons to believe that Martin would pose an immediate threat to the safety of the officers or others upon waking up if he were not detained. Specifically, the officers explained to us that they had observed Martin asleep in the driver's seat of a running, stolen vehicle, which they believed he could begin moving at any point. The officers articulated their reasoning that, if Martin were to awake, he could immediately hit the gas and try to escape, posing a significant risk of danger to the officers and bystanders who were walking near the scene. Additionally, USPP Sergeant told us that he suspected Martin

⁵⁰ FLETC Vehicle Extractions Training.

⁵¹ *Id.* at 20–21.

⁵² *Id.* at 12.

⁵³ On this point, we analyzed USPP Sergeant's and USPP Officer's conduct collectively because they were acting cooperatively, facing the same circumstances, and using similar actions and levels of force.

⁵⁴ While not relevant to our use of force analysis because it was not known to the officers at the time of the attempted arrest or shooting of Martin, a search of the vehicle later revealed that there was a pistol on the driver's side floorboard.

might be hiding a weapon in his waistband where USPP Sergeant had observed Martin’s hand resting, which Martin could use against the officers or others. With respect to the third *Graham* factor, whether Martin was actively resisting arrest or attempting to evade arrest by flight, Martin immediately began resisting the officers’ attempts to arrest him after they announced themselves and put their hands on Martin in an attempt to remove him from the running vehicle. Notably, USPP Sergeant and USPP Officer were not required to predict what Martin’s level of resistance would be once he woke up, and the officers were not required to wait until they knew with certainty the precise amount of danger that Martin would pose (e.g., by waiting until Martin drew a weapon) before using reasonable force to restrain him.⁵⁵ In light of our analysis under the *Graham* factors, we determined that the officers’ uses of force in their initial attempt to arrest Martin were objectively reasonable under the circumstances.

We also determined that the officers’ uses of force met the USPP policy’s stricter “minimum level of reasonable force necessary to control the situation” standard. We determined this because the officers could reasonably conclude that verbal commands alone were unlikely to be successful under the circumstances to effectively and safely restrain and arrest Martin. As discussed above, these circumstances included the attempted arrest of an individual who appeared to be asleep in a running, stolen vehicle, in a residential neighborhood, at a time of day when the officers had observed pedestrians and other drivers in the vicinity.⁵⁶ We further note that the force the officers used here complied with the FLETC training they received, which instructed them to “secur[e] the suspect’s hands/arms” when attempting to extract an individual from a vehicle.

In summary, the totality of the circumstances led to our conclusion that neither USPP Sergeant nor USPP Officer violated DOI’s or USPP’s use of force policy because the force the officers used in their attempt to arrest and extract Martin from the vehicle was objectively reasonable in light of the facts and circumstances confronting the officers at the time and was the minimum level of reasonable force necessary to control the situation.

3. USPP Officer’s Use of Deadly Force Against Martin Did Not Violate DOI or USPP Policy

We determined that USPP Officer did not violate DOI or USPP policy when he used deadly force against Martin because a preponderance of the evidence showed that USPP Officer reasonably believed that Martin posed an imminent danger of death or serious bodily harm to him and others given the facts and circumstances confronting USPP Officer at the time.⁵⁷

a. Applicable Standards and Officer Training

Deadly force includes the discharge of a firearm and other forms of force that result in a subject’s death.⁵⁸ USPP policy states that “[a]n officer may use deadly force only when necessary, that is when the officer has a reasonable belief, in light of the facts and circumstances confronting the officer, that the subject of such force poses an imminent danger of death or serious bodily harm to the officer and/or to another person.”⁵⁹ DOI’s use of force policy similarly instructs that “[d]eadly force is evaluated under the ‘objective reasonableness’ standard” and should be used “only when necessary, that is, when the law enforcement officer (LEO) has a

⁵⁵ See *Graham v. Connor*, 490 U.S. 386, 396-97 (1989) (holding that the “calculus of reasonableness” must take into account that police officers must make decisions in “uncertain” circumstances); see also *Plumhoff v. Rickard*, 572 U.S. 765, 775 (2014) (noting that the analysis of an officer’s use of deadly force must account “for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation”) (quoting *Graham v. Connor*, 490 U.S. at 396-97).

⁵⁶ By way of contrast, we note that the officers did not use higher levels of force in the initial arrest attempt, such as punching, the use of batons, or drawing their guns. We do not opine on whether such uses of force would have been permissible under USPP policy.

⁵⁷ In assessing USPP Officer’s actions, we recognize that on November 7, 2024, DOJ declined to bring criminal charges against USPP Officer based on the FBI’s investigation into the fatal shooting of Martin. While we considered the evidence gathered and presented in connection with the FBI’s investigation, it did not specifically address whether USPP Officer’s conduct on March 18, 2023, complied with applicable DOI or USPP policy. Accordingly, the DOJ declination does not resolve the questions relevant to our inquiry—namely, whether the officers complied with relevant USPP policy. We therefore conducted our own investigation and independently evaluated the totality of the evidence in coming to our conclusions.

⁵⁸ USPP, G.O. § 3615.04(E) (Nov. 1, 2019).

⁵⁹ USPP, G.O. § 3615.05(A) (Nov. 1, 2019).

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.”⁶⁰ The USPP’s use of force policy provides a non-exhaustive list of examples of such imminent threats, which include “an unarmed individual who has the capability to inflict death or serious physical injury, or otherwise incapacitate an officer or others, without a deadly weapon [who] is demonstrating an intention to do so.”⁶¹

The U.S. Supreme Court has advised that an officer’s use of deadly force should be analyzed “from the perspective of a reasonable officer on the scene” to account “for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation.”⁶² The U.S. Supreme Court has further cautioned that the split-second judgments of law enforcement officers should not be evaluated with the “20/20 vision of hindsight.”⁶³

In evaluating USPP Officer’s use of deadly force, we considered U.S. Supreme Court and other relevant court cases interpreting the Fourth Amendment to inform our analysis of USPP Officer’s conduct under the DOI and USPP’s use of force policies. We did not assess whether USPP Officer’s conduct prior to his use of deadly force—specifically, his decision to enter the vehicle—contributed to the need to use deadly force as part of our “totality of the circumstances” analysis. It is not a consideration in applicable DOI or USPP use of force policy, and we identified no case law from the Supreme Court or Federal court in the DC Circuit that has addressed the issue. *See Barnes v. Felix*, 605 U.S. 73, 83 (2025) (declining to address “whether or how an officer’s own creation of a dangerous situation factors into the reasonableness analysis” (internal quotations omitted)).

USPP Officer received training at FLETC on an officer’s use of deadly force and was instructed on the factors courts consider in assessing the reasonableness of an officer’s use of deadly force. The training instructed that officers may use deadly force only when doing so would be objectively reasonable, including when the officer perceives that the subject of such force poses a danger of death or serious bodily harm based on the totality of the circumstances.⁶⁴ This training went on to explain that officers were not required to be “100% sure the suspect is going to cause death or serious bodily harm” prior to using deadly force.⁶⁵ In addition, the training advised that an officer “is not obligated to wait until death or serious bodily harm is occurring” before using deadly force, but instead, that an officer is permitted to use deadly force “[i]f based upon the totality of circumstances the officer perceives there is a threat of such action.”⁶⁶

b. Analysis of USPP Officer’s Use of Deadly Force Against Martin

We concluded that USPP Officer’s use of deadly force did not violate DOI or USPP policy because a preponderance of the evidence established that USPP Officer reasonably believed that Martin posed an imminent danger of death or serious bodily harm to him and others given the facts and circumstances confronting USPP Officer at the time.

As discussed in detail in the facts presented above, the officers’ attempts to restrain Martin using contact controls and compliance techniques failed, and Martin drove away from the scene as a bystander’s vehicle drove past the subject’s vehicle in the opposite direction. As Martin drove away, the vehicle’s doors slammed shut on their own, and USPP Officer became trapped in the backseat of the vehicle. At the same time, USPP Sergeant’s arm was momentarily stuck inside the vehicle, and he was dragged for a few seconds before falling

⁶⁰ 446 DM 20.7(D) (Oct. 3, 2022).

⁶¹ USPP, G.O. § 3615.05(B)(2)(c) (Nov. 1, 2019).

⁶² *Plumhoff v. Rickard*, 572 U.S. 765, 775, 134 S. Ct. 2012, 2020 (2014) (quoting *Graham v. Connor*, 490 U.S. 386, 396–97 (1989) (internal quotations omitted)).

⁶³ *Id.*

⁶⁴ FLETC Use of Force Training at 15.

⁶⁵ FLETC Use of Force Training at 15.

⁶⁶ FLETC Use of Force Training at 15.

on the road. USPP Officer was tossed backwards and wedged his legs between the driver's and passenger seats to avoid getting tossed around in the backseat. Approximately 10 seconds before the shooting, USPP Officer shouted at Martin to "Stop!" several times, asking Martin to "Stop, man, just let me out!" Martin ignored USPP Officer and did not stop or slow down; Martin ran at least one stop sign and continued accelerating the vehicle at speeds in excess of 40 miles per hour in a residential neighborhood. Immediately before shooting Martin, USPP Officer shouted "Stop or I'll shoot!" When Martin still did not stop, USPP Officer fired five shots into Martin's back.

USPP Officer told us that, in the seconds before shooting Martin, he believed that he, USPP Sergeant, and the public were in imminent danger of serious physical injury or death if USPP Officer did not use deadly force to stop him. The circumstances that USPP Officer faced at the time were that he was trapped in the back seat of a stolen vehicle being driven at speed in excess of 40 miles per hour by a suspected felon who refused to surrender to four officers trying to arrest him; Martin also refused to stop the vehicle and let USPP Officer exit despite USPP Officer's repeated requests that he stop. USPP Officer had also observed USPP Sergeant being dragged by the vehicle, and USPP Officer told us that he did not know if USPP Sergeant was still attached to the vehicle and being dragged by it. USPP Officer had also observed other drivers and bystanders in the neighborhood that morning and believed the public was in imminent danger because Martin was "continuing to speed recklessly . . . throughout the neighborhood." In addition, because Martin would not let him out of the vehicle and appeared to be heading towards Benning Road, USPP Officer feared that Martin would have driven the vehicle "100 [miles per hour]-plus and we all would have died." Our independent review of the officers' BWC footage confirmed USPP Officer's description of the circumstances he was facing in the seconds before he fired the fatal shots.

In light of these circumstances, we determined that it was objectively reasonable for USPP Officer to believe that he, USPP Sergeant, and other bystanders were in imminent danger of death or serious bodily harm if Martin was not stopped. USPP Officer reasonably feared for his own safety as his and the other officers' attempts to get Martin to stop had failed, and the vehicle was accelerating and heading towards a straightaway, making it unlikely that USPP Officer would be able to safely exit the vehicle.⁶⁷ USPP Officer's fear that USPP Sergeant was in imminent danger of death or serious bodily harm was also objectively reasonable because USPP Officer did not know if USPP Sergeant was still attached and being dragged by the vehicle, putting him at risk of serious injury or death.⁶⁸ USPP Officer's belief that bystanders and other drivers might be in imminent danger was also objectively reasonable considering the speed Martin was driving in a residential neighborhood, the number of bystanders he had observed, and Martin's disregard of traffic laws.⁶⁹ USPP Officer's actions also comported with his training, which did not require USPP Officer to wait until serious bodily harm or death was occurring or be 100 percent sure it would occur before using deadly force. We therefore concluded that USPP Officer did not violate DOI's or USPP's use of force policies when he shot Martin.

IV. CONCLUSION

We concluded that USPP Sergeant and USPP Officer acted within their authority when they assisted MPD in its attempts to arrest Martin. We also found that USPP Sergeant and USPP Officer did not violate DOI or

⁶⁷ See, e.g., *Harmon v. City of Arlington*, 16 F.4th 1159 (5th Cir. 2021) (holding that deadly force was not excessive when officer standing outside SUV on running board fired service weapon one second after engine was engaged); *Adame v. Gruver*, 819 F. App'x. 526 (9th Cir. 2020) (officer was in imminent danger when he used deadly force immediately after vehicle accelerated while he was mostly inside it with one leg hanging outside); *Davis v. Romer*, 600 F. App'x. 926 (5th Cir. 2015) (use of deadly force was objectively reasonable where suspect was driving toward highway and refusing officer's commands to stop while officer stood on the vehicle's running board).

⁶⁸ *Mazoch v. Carrizales*, 733 F. App'x 179, 184 (5th Cir. 2018) (An officer did not use excessive force when firing at suspect driving vehicle where she "faced a situation in which her partner was out of sight, possibly under the still-running vehicle controlled by the same person who had placed the officers in potentially grave danger just seconds before. . . . From her perspective, if [her partner] was under [the suspect]'s vehicle, then any subsequent movement of the vehicle could have resulted in severe harm or death to [her partner].").

⁶⁹ See, e.g., *Brosseau v. Haugen*, 543 U.S. 194, 201 (2004) (per curiam) (holding that a police officer did not violate clearly established law when she fired at a fleeing vehicle to prevent possible harm to others in the immediate area); *Cole v. Bone*, 993 F.2d 1328, 1333 (8th Cir. 1993) (officer's decision to use deadly force to stop fleeing suspect in vehicle was not objectively unreasonable where he "had had probable cause to believe that the truck posed an imminent threat of serious physical harm to innocent motorists as well as to the officers themselves").

USPP policies when they attempted to arrest and extract Martin from the vehicle because their uses of force were objectively reasonable and constituted the minimum level of force necessary to control the situation. Finally, we determined that USPP Officer did not violate DOI or USPP policies when he used deadly force against Martin because USPP Officer reasonably believed that Martin posed an imminent threat of serious bodily harm or death to USPP Officer or others.

V. SUBJECTS

██████████, Sergeant (SP-0083-04), USPP, DOI

██████████, Officer (SP-0083-01), USPP, DOI

VI. DISPOSITION

We are providing this report to the Secretary of the Interior for any action deemed appropriate.

APPENDIX

Timeline of Events

Time (a.m.)	Event Description
8:47	MPD dispatch receives a 911 call regarding a stolen vehicle and directs MPD Officer 1 to investigate.
8:58	MPD Officer 1 arrives at the reported vehicle. He requests additional support by radio, requests MPD dispatch to check the vehicle's tags, then begins to investigate.
8:59	MPD dispatch advises MPD Officer 1 that the vehicle's tags belong to a different vehicle.
9:02	USPP Officer arrives on the scene. MPD Officer 1 advises him that he responded to a report of a suspicious vehicle that was possibly stolen. MPD Officer 1 advises USPP Officer that the car is running and that a man is sleeping in the driver's seat.
9:04	MPD Officer 1 advises USPP Officer that the ignition appears "punched," indicating that the vehicle was stolen.
9:06	MPD Officer 1 and USPP Officer approach the vehicle from both sides. MPD Officer 1 attempts to open the front driver-side door, but it is locked.
9:15	USPP Sergeant arrives on the scene.
9:16	MPD Officer 2 requests MPD dispatch to check the vehicle identification number.
9:19	MPD dispatch confirms that the vehicle was stolen on March 11, 2023.
9:24	USPP Sergeant, USPP Officer, and the MPD officers present begin discussing how to enter the vehicle to extract Martin.
9:30:03	USPP Sergeant and USPP Officer approach the vehicle with MPD Officer 1 and MPD Officer 2.
9:31:19	MPD Officer 2 begins cutting the plastic covering the broken rear passenger-side window.
9:31:29	MPD Officer 2 reaches through the cut plastic to unlock the rear door.
9:31:45	MPD Officer 2 leans into the vehicle and rolls down the front passenger-side window with his baton.
9:32:25	MPD Officer 2 reaches into the front passenger-side window and gestures to the other officers to be ready to enter the vehicle, then unlocks the vehicle.
9:32:30	USPP Sergeant, USPP Officer, MPD Officer 1, and MPD Officer 2 open the vehicle's doors and enter to attempt to restrain and remove Martin.
9:32:31	The officers announce themselves as law enforcement, warn Martin not to move, and attempt to gain control of Martin's arms and shoulders while Martin resists.
9:32:39	Martin pulls his right arm free of USPP Officer's grip and shifts the vehicle into drive.
9:32:40	Martin begins driving away in the stolen vehicle with USPP Officer in the back seat.

Time (a.m.)	Event Description
9:32:42	USPP Sergeant falls to the road after being briefly dragged with the vehicle.
9:32:43	USPP Officer grabs Martin's shoulder, shouts at him to stop the vehicle, then falls backwards into the back seat.
9:32:48	Martin runs a stop sign and turns left onto Kenilworth Avenue, NE.
9:32:51	USPP Officer tells Martin, "Stop, man, just let me out. Just let me out!" Martin ignores USPP Officer and does not stop the vehicle.
9:32:54	USPP Officer shouts, "Stop or I'll shoot!" Immediately thereafter, he fires five shots into Martin's back with his service weapon.
9:32:58	Martin loses control of the vehicle, which crashes into a residence.
9:33:02	USPP Officer exits the vehicle.
9:33:40	USPP Sergeant and four other MPD officers arrive at the crash site.
9:34:28	USPP Sergeant enters the crashed vehicle to turn off the engine.
9:35:24	USPP Sergeant requests that nearby MPD officers bring medical supplies and then extracts Martin from the vehicle, lays him down on the ground, and begins rendering medical aid.
9:42	DC Fire and emergency medical services arrive at the scene and take over administering medical aid to Martin.
9:48	Emergency medical services pronounces Martin dead.



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