

Reclamation Manual

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Scope and Requirements of the *Report of the Board of Review and Findings*

1. **Report Scope.** The Board of Review (Board) will analyze all factors related to the incident and prepare a *Report of the Board of Review and Findings* (Report) limiting its scope to the following:
 - A. identification of Board members;
 - B. summary of the facts related to the incident;
 - C. scope of employment;
 - D. authority and jurisdiction;
 - E. incident analysis (presentation of facts);
 - F. findings and conclusions (must include, when applicable, observations or findings regarding safety, policy compliance, procedures, supervision, and training related issues); and
 - G. recommendations and corrective actions (must include prescriptive actions to prevent the recurrence of similar incidents and ways to improve the program's handling of future incidents, policy and procedures, or training).

2. **Reporting Requirements.** The following reporting requirements are applicable to the Board:
 - A. The Chairperson of the Board must submit a final Report to the special agent-in-charge (SAC).
 - (1) The format for the final Report, provided in Paragraph 3 of this Appendix, must be followed.
 - (2) The final Report must be submitted by the Chairperson to the SAC within 45 calendar days of convening the Board.
 - (3) A majority of Board members must concur with and sign the final Report.
 - B. Within 7 calendar days of receiving the Board's final Report, the SAC will review and submit the Board's final Report to the Director, Security, Safety and Law Enforcement (SSLE).

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- C. The Director, SSLE, must review the Report and submit the approved Report to the Department of the Interior's Director, Office of Law Enforcement and Security (OLES) within 60 calendar days of convening the Board.
 - D. In instances where the Board's final Report cannot be completed in 60 calendar days, a status update, with any supporting justification to support the request for an extension, shall be submitted by the Director, SSLE, to the Director, OLES, every 30 calendar days until the review is completed.
 - E. The Director, SSLE, must respond with written comments to the Director, OLES, within 14 calendar days of receipt of the Department's preliminary Serious Incident Review Group (SIRG) report.
 - F. The Director, SSLE, shall respond to the final SIRG report within 30 calendar days with a plan to address the SIRG's conclusions and recommendations.
 - G. Upon completion of the final SIRG report, the Director, SSLE, will confer with the Director, OLES, so that lessons learned and information of an urgent nature is distributed to all applicable Bureau of Reclamation personnel as soon as possible.
3. **Report Contents.** The format for information provided in the Board's Report shall be limited to the scope of the Board (see Paragraph 1 of this Appendix):
- A. **General.**
 - (1) The Board's Report must:
 - (a) be clear, concise, and complete so as to convey to the reader the essential facts of the investigation;
 - (b) be unbiased, accurate, uniform, and presented in a logical format; and
 - (c) review all facts relevant to the incident and provide an analysis of the incident.
 - (2) If an outside agency conducted the investigation, and declines to provide any reports, this information must be documented in the Report.
 - B. **Introductory Section.** At a minimum, the introduction must:
 - (1) include an analysis of the incident;
 - (2) identify the Board members;

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- (3) identify current applicable policies and procedures; and
- (4) describe the investigative processes.

C. **Topical Headings.** Topical headings must include, but are not limited to:

- (1) **Witness Statements and Interviews.** This includes any statements, whether given in writing or orally.
 - (2) **Description of any Property Damage.** This includes a description of the property, identifies the owner, and provides an approximate value/cost of damage repair or replacement, if available.
 - (3) **Description of Equipment.** This includes any firearms, ammunition, explosives, other weapons/equipment, or vehicles involved in the incident, as well as personal protective gear utilized by Department/Reclamation employees.
 - (4) **Training Records.** Firearms qualification and other relevant training records, when applicable, of any Department/Reclamation officer involved in the incident.
 - (5) **Communication with Prosecutors.** A Declination of Prosecution, or other relevant communications from the prosecutor's office.
 - (6) **Medical Records.** A description of injuries and any medical records, if available, must be included.
 - (7) **Attachments.** Any relevant documents referenced in the body of the Report which support the recommendations or conclusions.
 - (8) **Findings and Recommendations.** Any findings and recommendations if current policies, procedures, or training need to be amended. The Board will not make any recommendations concerning administrative or personnel actions related to Department/Reclamation employees.
 - (9) **Conclusions.** Any conclusions derived by the Board regarding the incident as a whole.
4. **Confidentiality.** The final Report of the Board is generally considered an internal document to be used by management in reviewing use of force incidents and determining appropriate corrective action. Deliberations, conclusions, and records of the Board are confidential consistent with the Privacy Act and other administrative procedures designed to protect all employees. As such, the Report does not constitute or contain an official position

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of Reclamation. In some instances, the Board's final Report, however, may be subject to release under the Freedom of Information Act (5 U.S.C. § 552) and Privacy Act (5 U.S.C. § 552a).