

# United States Senate

WASHINGTON, DC 20510

November 1, 2019

## VIA ELECTRONIC TRANSMISSION

The Honorable David Vela  
Acting Director  
National Park Service  
Department of the Interior  
1849 C Street, NW  
Washington, D.C., 20240

Dear Acting Director Vela:

I appreciated the Park Service's response on October 22, 2019 to the letter Senator Warner and I sent on June 18, 2019, requesting information on the use of force policies from the National Park Service (NPS) and the United States Park Police (USPP).<sup>1</sup> While it shed some light on the status of the USPP General Order on Use of Force policy and the USPP procedure for conducting internal investigations, it did not include a copy of the Use of Force manual as requested. Furthermore, it raised several follow-up questions that require clarification. We understand that you recently transitioned to your Acting Director role, and appreciate your effort to get up to speed on the Bijan Ghaisar case.

On November 17, 2017, two U.S. Park Police officers shot and killed Bijan C. Ghaisar.<sup>2</sup> According to news reports, Mr. Ghaisar fled the scene of an accident on the George Washington Parkway, which falls under the jurisdiction of the U.S. Park Service.<sup>3</sup> He then led Park Service police on a lengthy vehicle pursuit, where Ghaisar repeatedly stopped his car in an apparent bid to end the chase, only to speed away when officers exited their patrol cars to approach Ghaisar's vehicle.<sup>4</sup> The vehicle pursuit ultimately ended when two Park Service police officers fired nine rounds at Mr. Ghaisar's vehicle when he again attempted to flee by maneuvering his vehicle around a police car that was blocking his path.<sup>5</sup>

The Ghaisar shooting raised serious questions about the USPP Use of Force and Vehicle Pursuit policies. In the letter, the Park Service stated "[t]he current vehicle pursuit policy for the

---

<sup>1</sup> Letter from Louis Rowe, Acting Assoc. Dir. for Visitor & Res. Protection, Nat'l Park Serv., to Charles E. Grassley, Chairman, U.S. Sen. Comm. on Finance (Oct. 2, 2019) (letter on file with Committee).

<sup>2</sup> Tom Jackman, *Video shows Park Police fired nine shots into Bijan Ghaisar's Jeep at close range, killing him*, THE WASHINGTON POST (Jan. 24, 2018), available at [https://www.washingtonpost.com/news/true-crime/wp/2018/01/24/video-shows-park-police-fired-nine-shots-into-bijan-ghaisars-jeep-at-close-range-killing-him/?utm\\_term=.11214b90be05](https://www.washingtonpost.com/news/true-crime/wp/2018/01/24/video-shows-park-police-fired-nine-shots-into-bijan-ghaisars-jeep-at-close-range-killing-him/?utm_term=.11214b90be05).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

USPP, dated June 8, 2018, is a revision of a policy from November 2, 2002,” however it is unclear from your statement if the policies were changed as a result of the Ghaisar shooting.<sup>6</sup> Along these lines the response also states that the USPP Guideline Manual for Officer-Involved Shooting Incidents is “being revised to reflect contemporary investigative standards; to include investigative referrals to partner law enforcement agencies, as was done in the Bijan Ghaisar case.”<sup>7</sup> This raises further questions on the referral process by which the FBI took over the investigation of the case.

In order to better understand the recent changes at USPP and what precipitated them, please answer the following questions no later than November 22, 2019.

1. Was the USPP vehicle pursuit policy update effective June 8, 2018, a result of the Bijan Ghaisar shooting in Fairfax County Virginia on November 17, 2017? If not, what precipitated this change?
2. Is the USPP Guideline Manual for Officer-Involved Shooting Incidents being reviewed as a result of the Ghaisar shooting? If not, what precipitated this review?
3. Why has the USPP elected to keep the two officers involved in this incident on paid administrative leave, and has decided to wait until after the FBI investigation is concluded to determine if the officers violated USPP policy?
4. Does USPP believe that the Ghaisar investigation has been handled in a way that promotes transparency, accountability and public trust? Is USPP conducting an after-action review to analyze ways it could have handled this investigation differently?
5. Has USPP contacted the FBI concerning the importance of concluding the investigation in a timely manner?
  - a. If so, what was the FBI’s response? Has the FBI indicated the rationale for the excessive delay in this case?
  - b. Has the FBI interviewed USPP personnel in connection with this investigation? If so, how many USPP personnel have been interviewed and when was the last interview completed?
6. With nearly two years having now passed, does the USPP have a contingency plan to more effectively address the fallout from the community surrounding this police shooting? Please provide a copy of that plan.

---

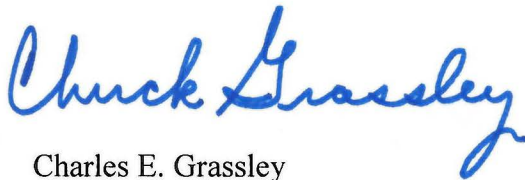
<sup>6</sup> Letter from Louis Rowe, Acting Assoc. Dir. for Visitor & Res. Protection, Nat’l Park Serv., to Charles E. Grassley, Chairman, U.S. Sen. Comm. on Finance (Oct. 2, 2019) (letter on file with Committee).

<sup>7</sup> *Id.*

7. At the conclusion of the pending FBI investigation into this matter, what is the anticipated timeline for the USPP Internal Affairs Unit to determine if any violations of USPP policy occurred?

Additionally, please provide the current USPP use of force and vehicle pursuit policy, along with copies of each version that was in effect at the time of the Ghaisar shooting. If you have any questions regarding this request, please contact Dario Camacho of my Committee staff at (202) 224-4515 or Stephanie Doherty of Senator Mark Warner's staff at (202) 224-2023.

Sincerely,



Charles E. Grassley  
United States Senator



Mark Warner  
United States Senator

cc: Gregory T. Monahan  
Acting Chief  
United States Park Police  
1100 Ohio Drive SW  
Washington, DC 20242