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***Army Regulation 190–14**

Effective 1 April 2024

Military Police
Arming and the Use of Force

By Order of the Secretary of the Army:

RANDY A. GEORGE
General, United States Army
Chief of Staff

Official:


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Administrative Assistant to the
Secretary of the Army

History. This publication is a major revision.

Authorities. This regulation implements DoDD 5210.56.

Applicability. This regulation applies to the Regular Army, the Army National Guard/Army National Guard of the United States, the U.S. Army Reserve, the Department of the Army Civilian Police, Department of the Army Security Guards, and the Army National Guard only when called or ordered to active duty in a Federal status under the provisions of Title 10, United States Code. The provisions of this regulation do not apply to military personnel engaged in military operations subject to rules of engagement or to Department of Defense personnel in an overseas location not under the authority of, or subject to, the control of a United States military commander.

Proponent and exception authority. The proponent of this regulation is the Provost Marshal General. The proponent has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and regulations. The proponent may delegate this approval authority, in writing, to a division chief within the proponent agency or its direct reporting unit or field operating agency, in the grade of colonel or the civilian equivalent. Activities may request a waiver to this regulation by providing justification that includes a full analysis of the expected benefits and must include formal review by the activity's senior legal officer. All waiver requests must be endorsed by the commander or senior leader of the requesting activity and forwarded through higher headquarters to the policy proponent. Refer to AR 25–30 for specific requirements.

Army internal control process. This regulation contains internal control provisions in accordance with AR 11–2 and identifies key internal controls that must be evaluated (see appendix B).

Suggested improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to the Provost Marshal General (DAPM–MPO–LE), usarmy.pentagon.hqda-dcs-g-3-5-7.mbx.opmg-le-division@army.mil.

Distribution. This regulation is available in electronic media only and is intended for the Regular Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve.

*This publication supersedes AR 190–14, dated 12 March 1993. Army Directive 2016–03, Army Directive 2021–06 and Army Directive 2021–13 are automatically rescinded upon publication of this regulation.

SUMMARY of CHANGE

AR 190–14
Arming and the Use of Force

This major revision, dated 1 March 2024—

- Changes the title from Carrying of Firearms and Use of Force for Law Enforcement and Security Duties, to Arming and the Use of Force (cover).
- Updates responsibilities of the Deputy Chief of Staff, G–1, the Provost Marshal General, garrison commanders, directors of emergency service, and provost marshals (paras 1–10, 1–12, and 1–14).
- Incorporates policy for Implementation of the Law Enforcement Officers Safety Act of 2004; pertaining to the requirements of a qualified law enforcement officer under 18 USC 926B and 18 USC 926C (paras 2–11 and 2–12).
- Incorporates policy for Authorization for Law Enforcement Officers to Carry Privately Owned Firearms on Army Installations (para 2–13).
- Incorporates policy for authorizing use of less than deadly force by Army law enforcement personnel (chap 4).

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Chapter 1

Introduction

Section I

General

1–1. Purpose

This regulation prescribes policy and procedures for authorizing, carrying, and using firearms and the use of force by personnel engaged in law enforcement and security duties. It establishes uniform policy for the use of force by law enforcement and security personnel. It implements Department of Defense (DoD) policy to limit and control the carrying of firearms by Department of the Army (DA) military and civilian personnel. This revision requires that the use of deadly force with firearms be applied equally to personnel using a weapon or equipment which, when properly employed, would exert deadly force.

1–2. References, forms, and explanation of abbreviations

See appendix A. The abbreviations, brevity codes, and acronyms (ABCAs) used in this electronic publication are defined when you hover over them. All ABCAs are listed in the ABCA directory located at <https://armypubs.army.mil/>.

1–3. Associated publications

This section contains no entries.

1–4. Responsibilities

See section II of this chapter for responsibilities.

1–5. Records management (recordkeeping) requirements

The records management requirement for all record numbers, associated forms, and reports required by this publication are addressed in the Records Retention Schedule–Army (RRS–A). Detailed information for all related record numbers, forms, and reports are located in Army Records Information Management System (ARIMS)/RRS–A at <https://www.arims.army.mil>. If any record numbers, forms, and reports are not current, addressed, and/or published correctly in ARIMS/RRS–A, see DA Pam 25–403 for guidance.

1–6. Applicability

The provisions of this regulation do not apply to DA personnel engaged in military operations and subject to authorized rules of engagement, or assigned to duty in the following areas or situations, as defined by an executive order, a Department of Defense Directive (DoDD), or an Army regulation (AR)—

- a. In a designated combat zone.
- b. In a designated hostile fire area when rules of engagement apply, or when the combatant commander issues operations orders setting forth different criteria.
- c. When under the operational control (OPCON) of another Federal agency carrying firearms in support of the mission is subject to the approval and requirements of both the Federal agency and DA.
- d. In a civil disturbance mission area.
- e. When DA personnel perform training missions.
- f. When special agents and investigators assigned to the U.S. Army Criminal Investigation Division (USACID) are specifically authorized by the Director, USACID to deviate from the provisions of this regulation in execution of a particular law USACID mission.

1–7. Firearms

a. DA personnel engaged in law enforcement, law and order, security, or protective service missions, including Department of the Army Civilian Police (DACP) and Department of the Army security guards (DASGs), who are authorized to be armed under this regulation will be appropriately armed and have the inherent right to self-defense. Under DoD policy, however, the use of deadly force is justified only when there is a reasonable belief that the subject of such force poses an imminent threat of causing death or serious bodily harm, or under the circumstances described in DoDD 5210.56.

b. Authorization to carry a firearm includes the authority for the firearm to be loaded with ammunition. A firearm will be considered loaded when a magazine containing ammunition is placed in the firearm and/or a round of ammunition is placed in the chamber of the firearm.

c. Arming of DA personnel will be limited and controlled. Qualified personnel engaged in the activities listed in paragraph 1–7a will be armed when required for assigned duties and there is a reasonable expectation that installations, property, or lives will be jeopardized if those personnel are not armed. The decision to arm DA personnel will be made after considering the possible consequences of accidental or indiscriminate use of the arms. The overriding factors to be considered in determining whether to arm DA personnel are the mission and threat. Arming those not regularly engaged in or directly supervising security or law enforcement activities will be limited to missions or threats and the immediate need to protect lives and DA assets.

d. Screening pursuant to the Gun Control Act, to include the Brady Handgun Violence Prevention Act or Lautenberg Amendment, will be accomplished prior to authorizing any person to carry a firearm.

e. DA personnel will only use the amount of force, including less than deadly force and deadly force, reasonably necessary as assessed under the totality of circumstances to carry out their duties.

1–8. Safeguarding firearms

a. An individual authorized to carry a firearm is responsible for ensuring proper safeguards are followed to prevent the loss, theft, and accidental or unauthorized use of the firearm.

b. Government-issued firearms will be returned to a designated control point upon completion of an assignment or mission in accordance with AR 190–11.

c. Personnel will return firearms approved for official duties to an armory, secure storage area, or other approved location, pursuant to this regulation, for accountability and safekeeping upon completion of their official duties or training, or when, at any time, the security of the firearm could be compromised.

d. Personnel authorized to retain, transport, and store Government-issued firearms at Government or non-Government locations will be provided a safety-lock device and instructions for its proper use in accordance with DoDD 5210.56.

e. The Director, USACID, may authorize exceptions to these requirements for criminal investigators or other specifically designated USACID personnel.

f. The transporting of firearms will comply with AR 190–11 and DoDD 5210.56.

Section II

Responsibilities

1–9. Inspector General

The IG will inspect compliance of this regulation.

1–10. Deputy Chief of Staff, G–1

The DCS, G–1 will—

a. Ensure that the official records of personnel who have been convicted in any court of a misdemeanor crime of domestic violence are appropriately annotated to prevent them from receiving firearms or ammunition in compliance with Section 922(g)(9), Title 18, United States Code (18 USC 922(g)(9)).

b. Advise and assist the Assistant Secretary of the Army (Manpower and Reserve Affairs) (ASA (M&RA)) to establish procedures to prevent employment of Army civilian personnel in law enforcement, security, counterintelligence, and personnel protection positions if they are disqualified from receiving a firearm or ammunition under 18 USC 922(g).

c. Advise and assist the ASA (M&RA) to ensure civilian personnel management policies support a skilled and professional civilian police and security guard work force. These policies include, but are not limited to, recruitment and placement, reassignment and termination, job evaluation, classification, pay administration, development of model job descriptions and pay grades in coordination with the Office of the Provost Marshal General (OPMG), incentives, employee relations and morale, uniform allowances, performance appraisal, training, and career development.

d. Act as the principal point of contact with the Office of Personnel Management concerning civilian personnel management matters affecting civilian police and security guards.

1–11. The Judge Advocate General

TJAG will ensure that servicing SJAs and other legal advisors provide commanders and law enforcement personnel with advice and counsel on law and policy governing the carrying of firearms for personal protection, and the use of deadly force for law enforcement and security purposes.

1–12. Provost Marshal General

The PMG will—

- a. Serve as the SECARMY's designee for carrying out the responsibilities assigned to the SECARMY in DoDD 5210.56.
- b. Assist the ASA (M&RA) to develop and oversee policies, programs, guidance, oversight, and coordination for the carrying of firearms and the use of force by personnel performing law enforcement, security, and personnel protection duties.
- c. Coordinate with the Commanding General (CG), U.S. Army Training and Doctrine Command (TRADOC), the U.S. Army Military Police School (USAMPS) to develop and propose resourcing strategies required to support Army law enforcement officer (ALEO) firearms training, certification, and operations.
- d. Validate requirements and resources required to support the Army's law enforcement, security, and protective Services missions.
- e. Authorize appropriate personnel to carry, retain, transport, and store Government-issued firearms at Government or non-Government locations as permitted by this regulation.
- f. Establish and maintain close liaison with local military and civilian law enforcement and intelligence agencies to facilitate the collection of any information that could adversely affect the safety and security of DoD personnel or official guests of the DoD.

1–13. Director, U.S. Army Criminal Investigation Division

The Director, USACID will establish policies and procedures, in accordance with DoD and Army policy, for the carrying, security, and transporting of firearms, use of force, and protective services concerning all USACID law enforcement personnel (special agents and military police (MP)), assigned to or under the OPCON of USACID.

1–14. Garrison commanders, directors of emergency services, provost marshals, and designated security and/or law enforcement commanders

Garrison commanders, directors of emergency services, provost marshals (PMs), and designated security and/or law enforcement commanders will—

- a. Enforce and comply with policies, procedures, and requirements of this regulation, to include screening, training, equipping, and monitoring those authorized to be armed, as well as related requirements in AR 190–11.
- b. Regularly monitor civilian local law enforcement and court records, via coordination authorized under memorandums of agreement (MOAs), to determine whether there have been convictions in any court of a misdemeanor crime of domestic violence involving any individual who is authorized to carry a weapon under the provisions of this regulation or who lives or uses services on the installation. Any such information will immediately be provided to the commander or director of any person authorized to carry a Government weapon by law enforcement, or security, or to the senior commander for other individuals.
- c. Ensure that individuals authorized to carry weapons are issued and use appropriate personal protective equipment for the duty or task assigned for individual safety and mission assurance.
- d. Ensure personnel to be armed are qualified and trained on the use of all firearms authorized to be carried according to this regulation, AR 190–56 and host-nation requirements as applicable.

Chapter 2

Carrying of Firearms by Law Enforcement and Security Personnel

2-1. Authorizations

a. The authorization to carry firearms will be issued only to qualified personnel when there is a reasonable expectation that life or DA assets will be jeopardized if firearms are not carried. Evaluation of the necessity to carry a firearm will be made considering this expectation weighed against the possible consequences of accidental or indiscriminate use of firearms.

b. DA personnel regularly engaged in law enforcement (including specific counterintelligence duties), in accordance with AR 381-20, personal security details in accordance with DoDI O-2000.22, and personnel protection duties will be armed. DA personnel engaged in security and operational counterintelligence duties or counterintelligence investigations, may be armed. Authorization to carry firearms may be granted to authorized personnel who have been briefed and trained to—

(1) Conduct law enforcement activities including investigation of espionage, sabotage, or other serious crimes in which DoD programs, personnel, or property are the victim, and in cases where DoD personnel are involved in serious crimes, or where investigations are conducted in dangerous areas or under hazardous circumstances.

(2) Protect DoD personnel.

(3) Protect classified information, systems, or equipment.

(4) Protect the President of the United States, high-ranking Government officials, DoD personnel, or foreign dignitaries.

(5) Protect DoD assets.

(6) Guarding prisoners.

(7) Conduct access control and/or security at installation perimeters, mission essential vulnerable areas, or high risk target locations.

c. DACP and DASG will be provided with the weapons, ammunition, and security equipment needed to perform their assigned duties. Contract security guards (CSGs) arming requirements will be conducted in accordance with the performance work statement (PWS). See AR 190-56 for additional requirements for DACP, DASG, and CSG personnel.

d. The use of privately-owned firearms (POFs) and/or ammunition by Federally employed personnel in the performance of assigned duties is strictly prohibited, except as authorized by DoDD 5210.56 and except for USACID special agents as approved in accordance with DoDD 5210.56 and AR 195-2.

e. DA personnel may be authorized to carry firearms while engaged in protecting personnel, vital Government assets, or guarding prisoners.

f. The terms of official agreements between the United States and host governments, and implementing instructions issued by senior commanders of overseas areas, will govern the arming of DA personnel and local or foreign nationals employed by the DA in foreign countries.

(1) Commanders of Army commands (ACOMs), Army service component commands (ASCCs), and direct reporting units (DRUs) should establish a coordination requirement with the following: Office of the Staff Judge Advocate (OSJA); G-5, International Operations Division (IOD); G-8, Agreements; and G-3/4, Protection, to gain U.S. Embassy support to combatant commands (COCOMs), ASCC, Coalition Forces Land Component Command (CFLCC) arming for self-defense, security, escort, and law enforcement missions and operations in support of Chairman of the Joint Chiefs of Staff (CJCS) standing rules for the use of force (SRUF), status of forces agreement (SOFA) permissions, and directed missions.

(2) Commanders of ACOMs, ASCCs, and DRUs should establish a coordination requirement with their OSJA; G-5, IOD; G-8, Agreements and G-3/4, Protection, to gain receiving nation and/or host-nation permission to COCOM, ASCC, CFLCC arming for self-defense, security, escort, and law enforcement missions and operations in support of CJCS SRUF, SOFA permissions, and directed missions.

g. The authorization to issue firearms and ammunition and to carry concealed firearms by USACID special agents will be governed by policies and procedures established by the Director, USACID.

h. The authorization to issue firearms and ammunition and to carry concealed firearms by counterintelligence agents employed by DA will be governed by AR 381-20 and this regulation.

2-2. Authorizing officials

a. Battalion commanders in the chain of command or civilian equivalent in the chain of supervision are the approval authority to authorize the open-carrying of government-issued firearms for security duties

described in paragraph 2–3. Concealed carrying of government-issued firearms for law enforcement or security duties must be approved by an O–6 commander in the chain of command or a general schedule (GS)–15 civilian supervisor in the chain of supervision.

b. The carrying of firearms for personal protection will only be approved on a case-by-case basis in accordance with paragraphs 2–3g, 2–10, and 2–11. Commanders of ACOMs, ASCCs, and DRUs, or their appointed representative, outside the United States may authorize the carrying of firearms for personal protection, in concurrence with legal review and any applicable SOFAs.

c. The Director, USACID, or an appointed representative will authorize the carrying of firearms for USACID special agents and MP, assigned to or under the OPCON of USACID.

2–3. Authority to carry firearms

a. Due to the serious responsibility imposed on personnel authorized to carry firearms during the performance of law enforcement or security duties these personnel must be selected with care.

b. Authorization to carry a firearm includes the authority for the firearm to be loaded with ammunition. A firearm will be considered loaded when a magazine containing ammunition is placed in the firearm and/or a round of ammunition is placed in the chamber of the firearm and the safety selector lever in the “safe” position. Firearm status codes will be used to identify how the firearm will be carried while on duty outside the continental United States (OCONUS) and overseas.

(1) Green: A firearm without a magazine and no ammunition in the chamber.

(2) Amber: A firearm with a loaded magazine containing ammunition placed in the firearm. No round of ammunition in the chamber.

(3) Red: A firearm with a loaded magazine containing ammunition placed in the firearm and a round of ammunition in the chamber. Senior or garrison commanders maintain the authority to restrict carrying a firearm in “red” status (except USACID special agents or when it violates SOFAs). Unless otherwise specified by local policy, authority to carry a loaded firearm will be implied by the issuance of ammunition with the firearm.

c. Law enforcement and credentialed counterintelligence personnel are authorized to carry jacketed hollow point (JHP) ammunition (A260 or equivalent) within the United States when performing law enforcement duties.

d. JHP ammunition is not authorized for use in combat or in some countries depending on the criteria in the SOFA. Coordination with the U.S. Embassy in the applicable country should be conducted before traveling with JHP. Law enforcement personnel traveling to locations where JHP is not authorized will be issued ball ammunition (A363 or equivalent).

e. Supervisors of law enforcement and security personnel, to include non-uniformed PM and/or Directorate of Emergency Services (DES), are prohibited from carrying firearms in performance of their duties unless authorized in accordance with paragraph 2–10.

f. Supervisors of law enforcement and security personnel, to include non-uniformed PM and/or DES, are also prohibited from carrying firearms for personal protection except for overseas duties or in accordance with paragraph 2–10.

g. CSGs may be either armed or un-armed as determined by the contract PWS. If CSGs are armed, the PWS will state that all provisions of this regulation apply to the CSGs when those forces operate under Federal jurisdiction and are not subject to State or host-nation law.

h. DA military and civilian personnel may be authorized to carry firearms for personal protection when the responsible headquarters intelligence center or office identifies a predictable and specific threat against DA personnel in that regional area. Firearms will not be issued indiscriminately for that purpose. Before individuals are authorized to carry a firearm for personal protection under this regulation, the authorizing official must evaluate—

(1) The probability of the threat in a particular location.

(2) The adequacy of support by DA or DoD protective personnel.

(3) The adequacy of protection by United States or host-nation authorities.

(4) The effectiveness of other means to avoid personal attacks.

2–4. Authorization procedures

a. Procedures will be established to ensure that any individual being issued a firearm has a written authorization in effect before the weapon is issued.

b. Except in situations requiring immediate action to protect life or vital Government assets, all authorizations to carry firearms by personnel will be, in writing, signed by the appropriate authorizing official, and issued only to personnel who are eligible to carry firearms as specified in paragraph 2–6.

c. Personnel traveling from the continental United States (CONUS) to an overseas area in a temporary duty (TDY) status must obtain advanced authorization from the applicable overseas authorizing official to carry a firearm for personal protection in that overseas area.

2–5. Authorization documentation

a. Written authorization documents will consist of one of the following: memorandum or amended organizational roster. Minimum information to be included in the authorization memorandum is as follows:

- (1) Individual's name, rank, and activity or organization.
- (2) The type and serial number of the firearm to be carried.
- (3) The inclusive dates of the authorization and a statement that the individual is authorized to carry the firearm described in connection with official duties during the period indicated, and whether the weapon is authorized to be carried openly, concealed, or both.
- (4) Declaration as to whether the firearm can be carried off the installation in conjunction with official duties.

(5) Name, title, rank, and signature of the authorizing official.

b. Local command procedures will be established to immediately withdraw authorization to carry a firearm when a person is no longer required, eligible, or qualified.

c. Written authorization is not required to be maintained or carried by the individual while the firearm is carried.

d. DA military and civilian personnel regularly assigned to law enforcement, security, counterintelligence, and protective services duties may be given a continuing authorization to carry firearms provided they achieve and maintain eligibility and qualification standards as listed in AR 190–56 and this regulation. Continuing authorizations will not exceed 1 year without review or renewal by the authorizing official.

e. Personnel assigned firearms for personal protection under the provisions of paragraph 2–10 or 2–11, will be authorized to carry firearms on a case-by-case basis and written authorization issued only for the duration of specific assignment or threat. Individuals carrying firearms for personal protection must comply with all qualifying requirements specified in this regulation.

f. Special agents, investigators, and other law enforcement personnel assigned to or under the operational control of USACID, are authorized to carry firearms (concealed or unconcealed) in accordance with instructions issued by the Director, USACID. Unless specifically restricted by the Director, this includes the authority to authorize, at the Director's discretion, the carrying of firearms (concealed or unconcealed) by USACID personnel at all times, whether on or off duty. The Director, USACID will ensure instructions for the carrying of firearms comply with host-nation laws and/or SOFA provisions when conducting operations OCONUS.

g. With the exception of USACID special agents, travel orders of personnel carrying firearms must state whether—

- (1) Personnel are authorized to carry a firearm while TDY or permanent change of station.
- (2) The firearm may be carried openly, concealed, or both.

2–6. Eligibility requirements

a. To be eligible to carry a firearm while performing law enforcement, security, or personal protection duties personnel must maintain current weapons qualification and meet mandatory training requirements. Records of individual training must be retained for as long as the individual remains eligible to carry a firearm.

b. Mandatory training must include—

- (1) A thorough briefing on individual responsibilities.
- (2) Use of force training.
- (3) Instructions on safety functions, capabilities, limitations, and maintenance procedures for the firearm to be carried.

c. As a minimum, proficiency testing will include annual qualification firing according to Army qualification standards for the type of weapon being carried.

- (1) ALEOs will qualify twice annually. CSG will qualify in accordance with the PWS.

(2) Ranges meeting the requirements established by the CG, TRADOC for weapons qualification are preferred. When ranges do not exist because of safety or resource constraints, the responsible ACOM, ASCC, or DRU commander may permit deviations in writing. Alternate range configurations approved by recognized Federal, State, or local law enforcement agencies (for example, International Association of Chiefs of Police and State police academies) may be utilized for qualification and/or familiarization purposes.

d. The Director, USACID will include in internal policies weapon qualification standards for all personnel assigned or under the OPCON of USACID who are authorized to carry firearms in the performance of their duties.

2-7. Restrictions on carrying firearms

a. Firearms may be carried off an installation or site by DA personnel engaged in official duties only when they have appropriate authorization provided under Federal law and are—

- (1) Not in violation of State or Federal territory law or host-nation agreements.
- (2) Properly trained as law enforcement officers or security personnel.
- (3) Authorized by an O-4 commander or above in the chain of command, or the civilian equivalent or above in the chain of supervision for open-carrying and authorized by an O-6 commander or above in the chain of command or the civilian equivalent in the chain of supervision for concealed carrying.

b. Only Government-owned and Government-issued firearms and ammunition are authorized to be carried by DA personnel while performing official duties. The SECARMY may authorize an exception to this requirement for specific Army organizations or specific situations requiring the carrying of firearms and/or special ammunition.

c. Firearms will not be carried within prisoner domicile and work areas, inside closed neuropsychiatric wards, or hospital prison wards. No further restrictions on carrying firearms in medical treatment facilities may be imposed on personnel performing law enforcement, security, counterintelligence, or personnel protection duties.

d. The provisions in paragraph 2-7 do not apply to personnel assigned to or under the OPCON of USACID. Personnel assigned to or under the OPCON of USACID may carry firearms outside of DoD facilities and installations in accordance with policies and procedures issued by the Director, USACID. Personnel assigned to or under the OPCON of USACID may carry POFs in the execution of official duties in accordance with DoDD 5210.56 and policies issued by the Director, USACID.

2-8. Persons prohibited from carrying firearms

a. The following persons are not authorized to carry firearms:

- (1) Those who are disqualified from receiving a firearm or ammunition under 18 USC 922(g).
- (2) Those exhibiting behavior inconsistent with acceptable criteria, guidelines, or standards as defined in AR 50-5, AR 50-6, AR 190-56, or AR 380-67.
- (3) Those with medical conditions, traits or behavioral characteristics defined as disqualifying factors in AR 50-5, AR 50-6, AR 190-56, or AR 380-67.
- (4) Those whose security clearance has been, suspended, revoked, or denied under AR 50-5, AR 50-6, AR 190-56, or AR 380-67.
- (5) Those taking prescription drugs or other medications that, according to their usage instructions may produce; drowsiness, impaired reaction, or reduced judgment.
- (6) Anyone resulting in a positive drug test in accordance with AR 600-85.

b. Personnel authorized to carry firearms are prohibited from any measurable blood alcohol content (BAC) (BAC that exceeds 0.00) while on duty. An officer in the chain of command or supervisory chain in the grade of GS-15/O-6 or above (or civilian equivalent and/or position title) may grant an exception to this provision for USACID special agents and supervisors, military police investigators (MPIs), and DA Civilian investigators operating in a covert role. Personnel assigned to or under the OPCON of USACID may be exempted from this provision while in the execution of certain missions as prescribed in policies issued by the Director, USACID.

c. Any violation of this paragraph is punishable under the Uniform Code of Military Justice (UCMJ), Article 92 for Servicemembers and may result in administrative or adverse action for civilian employees.

2–9. Carrying concealed firearms while on duty

a. Military or civilian personnel may carry concealed firearms while performing law enforcement, security, counterintelligence, and personnel protection duties if carrying firearms openly would compromise their mission.

b. Personnel authorized to carry concealed firearms will possess documentation identifying their law enforcement, security, counterintelligence, or personnel protection duty status and authorization to carry a concealed firearm. During covert operations, field grade commanders, PMs, or DESs may waive the requirement to carry identifying documentation if it could compromise the mission or endanger the life of the person carrying the weapon (requires sufficient control over operations to ensure that authorization and identification can be readily verified if required). A waiver for these situations does not preclude the requirement for written authorization to carry a firearm as prescribed in paragraph 2–4 of this regulation.

c. Personnel assigned to or under the OPCON of USACID may carry concealed weapons in accordance with paragraph 2–5f.

2–10. Carrying firearms for personal protection on Army installations

This paragraph implements section 526 of Public Law 114–92.

a. This paragraph establishes policy for determining Servicemember eligibility to carry a POF on an Army installation, center, facility, or standalone facility (SAF) located on DoD property for personal protection not related to the performance of official duties or duty status.

b. This paragraph establishes a process for covered Servicemembers to request permission to carry a POF inside their privately-owned vehicles (POVs) for personal protection reasons, identifies the arming authority who may approve such requests, and establishes requirements for individual training and standards for carrying, safeguarding, and storing POFs transported on an Army installation.

c. This paragraph does not provide procedures to request, or the authority to approve, the carrying of POFs outside POVs (unless otherwise authorized) or inside a Federal facility (as addressed in 18 USC 930) on an Army installation for personal protection. If covered Servicemembers approved to carry a POF in accordance with this regulation reside on the installation, they are authorized to carry the POF directly to and from their domicile and POV.

d. This paragraph does not apply to Servicemembers who are otherwise approved to carry firearms for the performance of official duties.

e. International military students (IMs) and accompanying Familymembers, regardless of their country of origin, are prohibited from transporting, possessing, storing, or using a POF on Army installations or property. IMs and their accompanying Familymembers are also prohibited from transporting, possessing, storing, or using ammunition not provided by the Army explicitly for use in official IM training on Army installations or property. For additional information on IM POF restrictions, refer to AR 12–15.

f. SAFs include reserve centers, recruiting centers, and medical facilities not collocated with the senior commander of an Army installation.

g. Covered Servicemembers are those personnel assigned duty on an Army installation or joint base where the Army is the host organization.

h. Before requesting authorization to carry a POF, a covered Servicemember must file a complaint or report with local, State, or Federal law enforcement authorities and a separate complaint or report with installation law enforcement authorities. Servicemembers requesting to carry a POF on SAFs need not file with installation law enforcement authorities. Covered Servicemembers must provide to the arming authority credible and convincing information that establishes a reasonable basis to conclude they are subject to a life-threatening violent act that is not related to the performance of official duties or duty status. The arming authority for an Army installation may authorize covered Servicemembers to carry a POF on the Army installation for personal protection.

i. Arming authorities will verify that covered Servicemembers are not the subject of past or pending disciplinary action under the UCMJ that calls into question their fitness to carry a firearm and that they have not been convicted of, nor are currently pending, charges for violation of a State or Federal criminal law in the civilian criminal system for any offense that could result in incarceration or for any offense listed in 18 USC 922d(9) (the 1996 Lautenberg Amendment to the Gun Control Act of 1968). Covered Servicemembers must also satisfy the following criteria to be eligible to carry a POF in accordance with this regulation:

(1) File a complaint or report with local, State, or Federal law enforcement authorities and installation law enforcement authorities (where applicable) articulating the life-threatening act to which they are subject.

(2) Provide credible and convincing information that they are subject to a life-threatening act not related to the performance of official duties or duty status.

(3) Be at least 21 years of age, pursuant to 18 USC 922(b).

(4) Demonstrate competence with a handgun.

(5) Comply with all applicable Federal, State, and local requirements (as well as host-nation laws when stationed overseas) to possess, carry, and conceal a firearm.

j. Covered Servicemembers will request authorization via memorandum that includes the following details:

(1) A specific description of the POF (handgun only) to be carried, including the make/model, serial number, caliber (not to exceed .45 caliber), type (such as revolver, semiautomatic, or single shot), and number of rounds (not to exceed 30 or the maximum allowed by Federal, State, and local law and regulation).

(2) An affirmation that they will abide by the following requirements:

(a) Will not possess a firearm while under the influence of alcohol or other intoxicating or hallucinatory drug or substance that would cause drowsiness or impair judgement.

(b) Will comply with all applicable Federal, State, and local requirements to possess, carry, and conceal a firearm (as well as host-nation laws when stationed overseas).

(c) Will satisfy all requirements for carry, transport, and temporary storage of a POF in a POV under this regulation.

(d) Will possess an approved gun storage device, as defined by 18 USC 926a.

(e) Will secure the POF in an approved gun storage device, inside the locked passenger compartment, and out of public view, before exiting the POV.

(f) Will carry and temporarily store POFs on the installation only in POVs, such as cars, sedans, and trucks, with lockable (key and lock) passenger compartments.

(g) Will transport on an Army installation only the POF for which the arming authority provides approval.

(h) Will be personally liable for injuries, death, and property damage proximately caused by their actions connected with the possession or use of a POF.

(i) Will inform the arming authority of any change in circumstance that could affect authorization to carry a POF.

(j) Will comply with Federal, State, and local law for the possession and use of POFs, including laws for the reasonable use of deadly force, self-defense, and accidental discharge. Covered Servicemembers will also comply with host-nation laws when stationed overseas.

k. Covered Servicemembers will provide all supporting documents necessary to establish their eligibility in accordance with this paragraph:

(1) Credible and convincing information to establish a reasonable basis to conclude the covered Servicemember is subject to a life-threatening violent act (not related to the performance of official duties or duty status) must include a law enforcement report as well as any protective order and the covered Servicemember's sworn statement. Credible and convincing information may also include hospital/medical records, sworn witness statements, emails, text messages, threatening voicemails, and photographs.

(2) Competence with a handgun may be demonstrated by submitting a certificate of completion for a firearms safety training course run by a police agency or hosted or approved by DoD or State, local, or tribal governments.

(3) Covered Servicemembers must complete DD Form 2760 (Qualification to Possess Firearms or Ammunition) as self-verification that they have never been convicted of a crime of domestic violence.

(4) Covered Servicemembers must have their commander's complete DA Form 7708 (Personnel Reliability Screening and Evaluation) to verify their eligibility to possess a firearm.

(5) Company-level commanders will use the Commander's Risk Reduction Toolkit to provide a memorandum certifying, to the best of their knowledge, that covered Servicemembers meet the following requirements:

(a) The covered Servicemember has never been convicted of, nor is currently pending, charges for a violation of the UCMJ, State, or Federal criminal law for any offense that could result in incarceration or for any offense listed in Title 18, U.S. Code, Section 922d(9) (18 USC 922d(9)).

(b) The covered Servicemember has not been the subject of, nor is currently pending, disciplinary action in accordance with 10 USC, Chapter 47 (the UCMJ), for any offense that otherwise calls into question the fitness to carry a firearm.

(6) If covered Servicemembers request authorization to carry a POF onto an Army SAF located on DoD property, they must provide documentation verifying completion of training contained within the U.S. Army Military Police School training support package (TSP) 191–SAFAFPM (available at <https://atiam.train.army.mil/>).

l. Covered Servicemembers must submit their requests, with all documentation described in paragraphs 2–10*k*, 2–10*l*, and 2–10*m* of this regulation, to their company-level commanders, who will not approve or disapprove the request. Company-level commanders will verify the following information before forwarding the request to the arming authority through the chain of command:

(1) The covered Servicemember satisfies all eligibility requirements.

(2) To the best of their knowledge, the need for personal protection against a life-threatening act is not related to the covered Servicemember's official duties or duty status.

m. For the purposes of this paragraph, the arming authority is the senior commander of the Army installation as defined in AR 600–20. For Army SAFs located on DoD property, the first general officer or senior executive service civilian in the chain of command is the arming authority.

n. The arming authority may approve carry of a POF only on Army installations or SAFs located on DoD property for which the Army maintains jurisdiction and where covered Servicemembers are assigned under the arming authority's command.

o. The arming authority must determine there is credible and convincing information that the covered Servicemember faces a life-threatening act not related to the performance of official duties that requires the carry of a POF while traveling in their POV on an Army installation.

p. All decisions will be in writing (copies furnished to the requestor and the chain of command) and, if approved, will specify the duration of the carry period and state that the covered Servicemember satisfies all requirements for carrying the POF.

q. The arming authority may authorize covered Servicemembers to carry a POF on an Army installation as long as the arming authority deems necessary, not to exceed 90 days. The arming authority may grant extension requests submitted by covered Servicemembers, in 90-day increments, for the duration of the threat.

r. Once approved, the covered Servicemember must register the approved POF in the Army Law Enforcement Reporting and Tracking System (ALERTS) by visiting the installation Provost Marshal Office (PMO) or the DES. At Army installations that do not have a PM or DES office, the chain of command will create a memorandum for record and maintain a roster for tracking authorized POFs.

s. Once the arming authority determines the threat no longer exists and the carrying of a POF is no longer warranted, the chain of command will notify, in writing, the Servicemember and the PMO/DES so the authorization is removed from ALERTS.

t. A POF authorized for carry may be carried only inside the covered Servicemember's POV (unless otherwise authorized), unloaded or loaded, in a holster worn on the body or inside a glove box, center console, or gun storage device concealed from public view, consistent with Federal, State, and local laws and regulations. Covered Servicemembers must also comply with host-nation laws when stationed overseas.

u. Before exiting the POV, covered Servicemembers will ensure that the POF is properly stored in accordance with this paragraph. Covered Servicemembers may not carry a POF outside the POV unless they are defending themselves in the immediate vicinity of the POV against an imminent, life-threatening act.

v. A POF authorized for carry inside a POV may be stored for no longer than 24 consecutive hours. The POF must be stored in the locked passenger compartment of the Servicemember's POV in the same arming status (that is, loaded or unloaded) as when initially carried onto the Army installation.

w. A POF authorized for carry inside a Servicemember's POV must be stored in a locked gun storage device that is concealed from public view. The glove box or center console do not constitute locked gun storage devices for purposes of storing the POF.

x. During the 90-day approval period, covered Servicemembers will self-report to the arming authority any changes in prescribed or over-the-counter drug use that may cause drowsiness or impair judgment. The arming authority may suspend or revoke the approval and, in so doing, will help covered Servicemembers to prepare a safety plan during the period of suspension or revocation.

y. Commanders of covered Servicemembers will, within 24 hours, report to the arming authority any information that calls into question a covered Servicemember's fitness to carry a firearm, such as abuse of illegal drugs or alcohol or change in behavioral health status.

z. This paragraph is punitive. Covered Servicemembers who violate this policy may be subject to punishment under the UCMJ. Even if certain acts do not specifically violate the provisions of this regulation, they may be inappropriate or violate civilian personnel guidance. Commanders must seek the advice and counsel of their legal advisors when taking actions pursuant to this paragraph.

2–11. Carrying firearms for personal protection, Law Enforcement Officers Safety Act

a. This paragraph implements 18 USC 926B and 18 USC 926C. The procedures in this paragraph comply with DoDI 5525.12.

b. The provisions of this paragraph apply to the Regular Army, Army National Guard (ARNG), and U.S. Army Reserve (USAR) law enforcement personnel. This paragraph also applies to ALEOs.

c. Pursuant to 18 USC 926B, notwithstanding any other provision of the law of any State or political subdivision thereof, an individual who is a qualified law enforcement officer as defined in this regulation, and who is carrying the identification described, may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, while in an off-duty status for personal protection. For the purposes of this paragraph, Army counterintelligence agents who have been authorized the issuance of badges and credentials to conduct counterintelligence investigations are also considered to be qualified law enforcement officers.

d. Individuals who receive a Law Enforcement Officers Safety Act (LEOSA) credential from the U.S. Army must comply with this policy and all applicable Federal laws governing the carrying of firearms. The Army has no liability and will not provide legal defense, absent that required by law, for any individual involved in use of force incidents involving POFs carried pursuant to this regulation. The Army's role under LEOSA is solely to determine whether an applicant is qualified to carry a concealed firearm pursuant to 18 USC 926B or 926C.

e. The Army will bear no cost for training related to, or issuance of, LEOSA credentials. The Army will not provide firearms, ammunition, or firearms qualification services for retired ALEOs or currently serving ALEOs who are not otherwise qualified by their unit. Use of appropriated funds for the qualification of retired law enforcement officers is prohibited.

f. This paragraph does not create any rights, privileges, or benefits—substantive or procedural—enforceable by any party against the United States; its departments, agencies, or other entities; its officers; or any other persons.

g. This paragraph does not permit the carry of POFs on Federal installations (including standalone and leased facilities) or other locations on which carrying a concealed firearm is not authorized by Federal statute, unless otherwise authorized.

h. This paragraph does not limit the authority of military commanders (as set forth in 18 USC 930, 50 USC 797, and DoDI 5200.08) to deny entry to individuals or items based on current security or force protection conditions.

i. This paragraph does not limit the laws of any State that permits private persons or entities to prohibit or restrict the possession of concealed firearms on their property or any State that prohibits or restricts the possession of firearms on any State or local government property, installation, building, base, or park.

j. This paragraph does not confer on any separated law enforcement officer any rights or privileges accorded to a currently serving law enforcement officer.

k. This paragraph does not affect the requirement of any Army law enforcement agency for its law enforcement officers to carry a firearm at all times and does not change any ARs or procedures with respect to on-duty ALEOs.

2–12. Procedures for qualifying officers and issuing of Law Enforcement Officers Safety Act credentials

a. Qualification for a LEOSA credential pursuant to 18 USC 926B.

(1) A qualified law enforcement officer is an employee of the Army who—

(a) Is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law.

(b) Has statutory powers of arrest or apprehension pursuant to 10 USC 807(b) (also known as Article 7(b) of the UCMJ).

(c) Is authorized by the Army to carry a firearm.

(d) Is not the subject of any disciplinary action that could result in suspension or loss of police powers.

(e) Satisfies the Army's standards to regularly qualify in the use of a firearm pursuant to 18 USC 926B.

(f) Is not under the influence of alcohol or another intoxicant or a hallucinatory drug or substance while carrying a firearm.

(g) Is not prohibited by Federal law from receiving a firearm.

(2) Qualified law enforcement officers, as defined in this paragraph may apply for a LEOSA credential via <https://www.leosaarmy.com>.

(3) For the purposes of paragraph 2–12a, currently serving qualified ALEOs include only Soldiers or DA Civilians authorized by law to engage in or supervise the prevention, detection, investigation, prosecution, or incarceration of any person for any violation of law, and who have statutory powers of arrest or apprehension under 10 USC 807(b) (Article 7(b) of the UCMJ), regardless of current duty assignment.

(4) Recipients of a LEOSA credential issued pursuant to 18 USC 926B must comply with all provisions of the statute, including carrying the LEOSA credential when carrying their authorized firearms.

b. Qualification for a LEOSA credential pursuant to 10 USC 926C (Carrying of concealed firearms by qualified retired law enforcement officers).

(1) A qualified retired law enforcement officer is a former employee of the Army who—

(a) Separated in good standing from Service with the Army as a law enforcement officer. (The USAMPS or Office of the Army Deputy Chief of Staff, G–2 will verify the former Soldier's Army Service.)

(b) Before separation, was authorized to engage in or supervise the prevention, detection, investigation, or prosecution of, or incarceration of any person for, any violation of law.

(c) Before separation, had statutory powers of arrest or apprehension pursuant to 10 USC 807(b) (Article 7(b) of the UCMJ).

(d) Before separation, served as a law enforcement officer for an aggregate of 10 years or more, or separated from Service with the Army as a law enforcement officer (after completing any applicable probationary period of Service) because of a Service-connected disability as determined by the Army.

(e) During the most recent 12-month period, at the expense of the individual, satisfied the standards for qualification in firearms training for active law enforcement officers as determined by the Army, the State in which the individual resides, or—if that State has not established such standards—either a law enforcement agency within the State where the individual resides or the standards used by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty officers within that State.

(f) Has not been officially found by a qualified medical professional employed by the Army to be unqualified for reasons relating to mental health. A new mental health examination is not required as a prerequisite for issuance of a LEOSA credential.

(g) Has not entered into an agreement with the Army or DoD in which the individual acknowledges he or she is not qualified under 18 USC 926C for reasons relating to mental health and, for those reasons, will not receive or accept a LEOSA credential.

(h) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.

(i) Is not prohibited by Federal law from receiving a firearm.

(2) Qualified retired law enforcement officers, as defined in this paragraph, may apply for a LEOSA credential via <https://www.leosaarmy.com>.

(3) Recipients of a LEOSA credential must comply with all provisions of 18 USC 926C, including carrying the LEOSA credential when carrying their authorized firearm.

(4) Firearms certification and costs associated with procuring the LEOSA credential will be completed at the individual's expense.

c. Applicants requesting a 926B or 926C LEOSA credential must submit the following documentation at <https://www.leosaarmy.com>:

(1) A completed Federal Bureau of Investigation Identity History Summary. Applicants may obtain fingerprint cards at the office of the nearest installation PM, a DoD law enforcement agency or office, or a local police station (926C applicants only).

(2) A passport photograph, as required by the U.S. Department of State for all U.S. passport applications.

(3) A copy of a valid State driver's license or identification credential issued by State or Federal government.

(4) A memorandum from the applicant's commander or the commander's designated representative verifying that the applicant meets the criteria of a qualified law enforcement officer (926B applicants only). (Commanders or their designated representatives will verify the applicant's eligibility. Commanders do not adjudicate requests and are not the approval authority for issuance of LEOSA credentials.)

(5) A legible copy of the applicant's DD Form 214 (Certificate of Release or Discharge From Active Duty), member copy 4 (926C applicants only).

(6) A legible copy of the applicant's USAMPS or U.S. Army Intelligence School graduation certificate (as applicable).

d. The OPMG is the issuing agency with authority and responsibility to review and adjudicate LEOSA applications. OPMG will administer the application and issuance process for all Army-issued LEOSA credentials.

e. OPMG will maintain a roster of all personnel issued a LEOSA credential by OPMG. The Army Threat Integration Center (ARTIC) will maintain a copy of the roster and validate the credential. ARTIC's phone number is listed on the back of each LEOSA credential, and ARTIC will provide 24/7 LEOSA credential verification on request.

f. The LEOSA credential for a qualified law enforcement officer (926B) will include, at a minimum, the law enforcement officer's name, an identification number assigned by OPMG, and a photograph of the qualified law enforcement officer.

g. The LEOSA credential for a qualified law enforcement officer (926B) is valid for 5 years from the date of issuance unless the officer separates from the Service earlier. Credential holders must sign and date their LEOSA credentials. To renew credentials, officers must meet the provisions of this regulation and submit applications at least 60 days before expiration of their current LEOSA credential.

h. The LEOSA credential for a qualified retired law enforcement officer will include, at a minimum, the retired law enforcement officer's name, an identification number assigned by OPMG, and a current photograph of the qualified retired law enforcement officer, as well as the following statement: "The individual pictured above separated in good standing from the service with the Army as a law enforcement officer. This card is not valid unless accompanied with firearms qualification as defined in 18 USC 926C(c)(4). This card does not grant the bearer any authority to act on the agency's behalf or to exercise any law enforcement authority. Army Law Enforcement Officer (Separated)."

i. Maintaining status as a qualified retired law enforcement officer is a continuous process and the responsibility of the credential holder. If, at any point, an individual no longer meets each requirement of a qualified retired law enforcement officer, the LEOSA credential is no longer a valid authorization to carry a concealed firearm.

2–13. Authorization for law enforcement officers to carry privately owned firearms on Army installations

a. Senior commanders may approve qualified, actively serving, Army law enforcement professionals who possess a valid credential, pursuant to the LEOSA, to carry a concealed POF (handgun only) while off duty, for personal protection, not in the performance of official duties on Army installations to which they are assigned within the United States.

b. For the purpose of the entirety of paragraph 2–13, "qualified, actively serving, Army law enforcement professionals" are defined as Soldiers or DA Civilians authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution (or incarceration) of any person for any violation of law, who have statutory powers of arrest or apprehension under Title 10, U.S. Code, section 807(b) (Article 7(b) of the UCMJ), regardless of the individual's current assignment. This includes MP (all 31 military occupational specialty series, regardless of current assignment), DACP, Army Criminal Investigative Division Special Agents, and Army Counterintelligence Agents who have been issued badges and credentials to conduct counterintelligence investigations.

c. In addition to meeting all existing section 926B LEOSA requirements, the individual must not be the subject of any disciplinary action by the organization, must meet the organization's standards for regularly qualifying in the use of the same type of weapon as the concealed firearm (such as a revolver or semiautomatic pistol), and must not be under the influence of alcohol, other intoxicants, or any hallucinatory drug or substance while carrying a firearm.

d. All section 926B LEOSA credential holders requesting authorization to carry a concealed POF on an Army installation must submit a memorandum request through the chain of command to the senior commander with the following information:

(1) A specific description of the POF to be carried, including the make/model, serial number, caliber (not to exceed .45 caliber), type (such as revolver, semiautomatic, or single shot), and number of rounds (not to exceed 30, or the maximum allowed by Federal, State, and local law and regulation).

(2) An affirmation that they—

- (a) Will comply with all applicable Federal, State, and local laws to possess, carry, and conceal a firearm.
- (b) Will transport on an Army installation only the POF for which the arming authority provides approval.
- (c) May be personally liable for injuries, death, and property damage proximately caused by their actions connected with the possession or use of a POF.
- (d) Will inform the arming authority of any change in circumstances that could affect authorization to carry a POF.
- (e) Will comply with Federal, State, and local laws for the possession and use of POFs, including laws for the reasonable use of deadly force, self-defense, and related to accidental discharge.
- (3) A copy of their current section 926B LEOSA credential to establish eligibility.
- e. Approved authorizations are not transferable. At change of duty station, section 926B LEOSA credential holders seeking authorization to carry a concealed POF must obtain approval by the gaining chain of command and senior commander before carrying the POF at the gaining installation.
- f. Section 926B LEOSA credential holders requesting permission to carry a POF on a joint base must obtain approval from the lead Service arming authority for that base.
- g. Senior commanders may authorize firearm storage for on-post quarters, privatized housing, and for non-standard installation facilities or leased facilities. Firearms will be secured (unloaded) in a lockable gun storage container or have a trigger locking device. Storage of POFs in temporary quarters, billeting, or barracks is prohibited, unless specifically authorized on a case-by-case basis by the senior commander.
- h. Senior commanders may authorize storage of POFs in unit arms rooms or other authorized facilities with appropriate storage (such as a General Services Administration Class-5 security container) in accordance with AR 190–11. POFs will be strictly controlled. Sign-out and turn-in of a POF will be maintained with a DA Form 3749 (Equipment Receipt).
- i. Senior commanders may approve vehicle storage of POFs for personnel carrying under these special provisions for section 926B LEOSA credential holders if unit storage is not practical, not available, or has limited capacity. Individuals staying on post in camping/recreation areas with motor coaches/camping trailers may also be authorized vehicle storage. POFs will be secured (unloaded) in a lockable gun storage container, or have a trigger locking device, and will be concealed from public view. Installation residents are not authorized vehicle storage of firearms unless specifically authorized by the senior commander.
- j. The entirety of paragraph 2–13 is punitive. Servicemembers who violate this policy may be subject to punishment under the UCMJ. Even if certain acts do not specifically violate the provisions of this regulation, they may be inappropriate or violate relevant civilian personnel guidance. Commanders must seek the advice and counsel of their legal advisors when taking actions pursuant to this paragraph.

2–14. Carrying firearms and electronic control devices while aboard military and commercial aircraft and transportation

- a. DACP and/or MP affecting the return to military control of an absent without leave, deserter, or when conducting a prisoner escort, must meet the requirement to fly armed. ALEOs will only fly armed on commercial aircrafts when there is a need to have the firearm or electronic control device (ECD) accessible from the time they would otherwise check the firearm until the time they would be claimed after deplaning. DA personnel authorized to carry firearms and/or ECD aboard commercial and/or military aircraft will follow the rules specified in this section and those issued by the Transportation Security Administration (TSA) and the DoD.
- b. Personnel assigned to or under the OPCON of USACID may fly armed aboard aircraft operated by commercial air carriers in CONUS, Alaska, and Hawaii. The Unique Federal Agency Number (UFAN) will be provided by HQ, USACID. The USACID credentialed MPs assigned to protective Services details will adhere to the same provisions and standards established for USACID special agents.
- c. Installation PMs and/or DESs will ensure that law enforcement escorts complete the TSA training in accordance with 49 CFR 1544.219, 49 CFR 1544.221, and AR 190–9.
- (1) When law enforcement personnel are used as escorts, they will adhere to the requirements for the use of the UFAN. Contact with TSA at the point of embarkation or debarkation in CONUS will be affected no later than 24 hours prior to arrival or departure.

(2) When personnel must carry firearms and/or ECD aboard aircraft, either on their person or in their baggage, the commercial airline or military passenger Service representatives will be notified before the flight departure.

(3) Personnel will carry written authorization to carry the firearm and/or ECD and a form of official Government identification that includes a full-face photograph (for example, military common access card, civilian driver's license, or U.S. passport). If the firearm and/or ECD is carried in baggage, it will be unloaded and securely locked in the baggage.

d. Firearms and/or ECDs not required in flight. If the firearm and/or ECD is not required during the flight, the person carrying the firearm and/or ECD will—

(1) Declare to the commercial airline representative or military passenger Service representative, before the baggage is checked, that an unloaded firearm and/or ECD is in the baggage.

(2) Inform the commercial airline representative or military passenger Service representative that the firearm and/or ECD container is appropriate for air transportation. If the firearm is a handgun or other non-shoulder-fired weapon, the baggage will be locked and the person carrying the firearm and/or ECD will keep the key. If the firearm or ECD is carried in the checked baggage, the weapon will be unloaded and securely locked in the checked baggage.

(3) Place ammunition in an ammunition pouch or other suitable container in the checked baggage with the firearm or in a different piece of baggage.

(4) Attach a safety clip to the Launched Electrode Stun Device (LESD) cartridge to prevent unintentional discharge of the probes.

e. Firearms and/or ECDs required during flight. If a firearm and/or ECD must be accessible during flight, the person carrying the firearm will—

(1) Notify the airline or passenger Service representative at least one hour before the flight that the weapon will be carried on the aircraft. If an emergency occurs and the airline cannot be notified one hour before the flight, the airline will be notified as expeditiously as possible.

(2) Present written authorization and official Government identification, which contains a full-face picture, signature, and the official seal of the authorizing organization, to the airline or passenger Service representative.

(3) Not consume any alcoholic beverages while aboard an aircraft and will not board an aircraft if they have consumed an alcoholic beverage within the previous 8 hours.

(4) Be knowledgeable of the dangers and limitations on use of firearms and/or ECD aboard aircraft.

f. Firearms and/or ECDs on exclusive military flights. When an aircraft is being used for DoD purposes and all passengers are DoD personnel, the following conditions apply to all personnel carrying weapons, except law enforcement or security personnel whose duties require that they be armed during the flight:

(1) No firearms will be loaded (no magazine inserted or round in the chamber) and all bolts and/or slides for firearms will be locked in the "open" position and the safety engaged (as appropriate for the type of weapon).

(2) ECD cartridges will be removed from firing device. Safety clips will be installed on cartridges.

(3) Prior to DoD personnel boarding the aircraft, the commercial airline representative or the passenger Service representative will be notified by the unit commander (or officer-in-charge of the charter flight) that weapons will be carried aboard the aircraft.

g. Use of other commercial transportation by personnel carrying firearms and/or ECDs.

(1) Procedures similar to those for commercial aircraft will apply to other means of commercial transportation.

(2) Specific requirements must be determined through advanced coordination with appropriate transportation authorities.

h. Escorts are not authorized to draw or utilize their firearm other than as prescribed in the TSA training guidelines in paragraph 2–14c, except in life or death circumstances in which the flight crew is unable to resolve the situation, and the aircraft, crew, and passengers are in imminent life-threatening immediate danger.

Chapter 3

Use of Force

3–1. Procedures for use of force

a. DA military and civilian personnel engaged in law enforcement, counterintelligence, or security duties will be highly trained and proficient in both the understanding and the application of the use of force. In such cases where the use of force is warranted, DA military and civilian personnel will use the minimum amount of force necessary to reach their objective. Deadly force will be used only as described in this regulation.

b. When the use of force is required, less than deadly force may be used to control a situation, provide defense of DoD forces, provide defense of non-DoD persons in the vicinity if directly related to the assigned mission, or in defense of the protected property, when doing so is reasonable under the circumstances. The use of force must be reasonable in intensity, duration, and magnitude to accomplish the lawful performance of assigned duties, based upon the totality of the circumstances that led to the need to use force. There is no requirement to delay force or sequentially increase force to resolve a situation or threat. DA military and civilian personnel will warn persons and give the opportunity to withdraw or cease threatening actions when the situation or circumstances permit. Commanders will complete a documented inquiry in accordance with AR 15–6, for all incidents involving law enforcement personnel's application of physical force in the performance of their duties for instances involving death or serious injury to the subject or officer. The signed inquiry will be filed as evidence with the completed report of investigation (ROI).

c. Commanders are encouraged to augment firearms with DoD- or DA-approved nonlethal weapons (NLWs) and devices for performing law enforcement and security duties. For the purpose of this regulation (in accordance with DoDD 5210.56), and in the context of use of force, the term less than deadly force is used as there is no guarantee that NLWs will not cause severe injury or death. Less than deadly force can cause severe injury or death. DA personnel using NLWs, as well as the party against which the tactic is used, will receive appropriate medical care if injured as a result of the use of less than deadly force.

d. In evaluating the degree of force required for a specific situation, the following options will be considered. There is no need to proceed sequentially to increase force to resolve a situation or threat. Suggested methods of escalation of force, should the circumstances permit (subject to host-nation or local restrictions) are—

- (1) Verbal persuasion.
- (2) Unarmed defense techniques.
- (3) Less than deadly weapons and/or devices (for example, oleoresin capicum spray, a LESD, and baton).
- (4) Military working dog (if available).
- (5) Presentation of deadly force capability.
- (6) Deadly force.

e. The use of force by personnel assigned to or under the OPCON of USACID will be in accordance with DoDD 5210.56 and this policy.

3–2. Deadly force

a. Principles defined in this regulation on the use of deadly force with firearms will be applied equally to personnel using a weapon or equipment which, when properly employed in their intended use, would produce deadly force.

b. The SECARMY, commanders of ACOMs, ASCCs, and DRUs, or their designees may impose further restrictions on the use of deadly force if deemed necessary in their judgment and if such restrictions would not unduly compromise the national security interests of the United States.

c. Personnel will not be permitted to perform law enforcement, counterintelligence, or security duties requiring the use of weapons until they have received instruction on applicable regulations for the use of deadly force in the performance of such duties. Additionally, annual refresher training will be given to all personnel assigned to those duties to ensure that they continue to be thoroughly familiar with all restrictions on the use of deadly force.

d. Personnel carrying weapons for personal protection under the provisions of paragraph 2–3h will have the necessary training on deadly force commensurate with that prescribed by this regulation.

e. For contract security forces, the PWS will establish use of deadly force consistent with this regulation and local law.

f. Deadly force is justified only under conditions of extreme necessity and as a last resort when all lesser means have failed or cannot reasonably be employed. Deadly force is justified under one or more of the following circumstances:

(1) Self-defense and defense of others. When deadly force reasonably appears to be necessary to protect law enforcement, counterintelligence, or security personnel who reasonably believe themselves or others to be in imminent danger of death or serious bodily harm.

(2) Assets involving national security. When deadly force reasonably appears necessary to prevent the actual theft or sabotage of assets vital to national security. DoD assets will be specifically designated as “vital to national security” only when their loss, damage, or compromise would seriously jeopardize the fulfillment of a national defense mission and create an imminent threat of death or serious bodily harm. Examples include nuclear weapons; nuclear command, control, and communications facilities; and designated restricted areas containing strategic operational assets, sensitive codes, or special access programs.

(3) Assets not involving national security but inherently dangerous to others. When deadly force reasonably appears to be necessary to prevent the actual theft or sabotage of resources, such as operable weapons or ammunition, that are inherently dangerous to others; such as assets that, in the hands of an unauthorized individual, present a substantial potential danger of death or serious bodily harm to others. Examples include high risk portable and lethal missiles, rockets, arms, ammunition, explosives, chemical agents, and special nuclear material.

(4) Serious offenses against persons. When deadly force reasonably appears necessary to prevent the commission of a serious offense involving violence and threatening death or serious bodily harm. Examples include murder, armed robbery, and aggravated assault.

(5) Arrest or apprehension. When deadly force reasonably appears to be necessary to arrest, apprehend, or prevent the escape of a person who, there is probable cause to believe, has committed an offense of the nature specified in paragraphs 3–2f(2) through 3–2f(4).

(6) When deadly force has been specifically authorized by the SECARMY and reasonably appears to be necessary to prevent the escape of a prisoner, provided law enforcement or security personnel have probable cause to believe that the escaping prisoner poses a threat of serious bodily harm either to security personnel or others.

g. Additional requirements for the use of firearms are as follows:

(1) When the situation permits, an order of “halt” will be given.

(2) Warning shots are prohibited.

(3) When a firearm is discharged, it will be fired with the intent of rendering the person(s) at whom it is discharged incapable of continuing the activity or course of behavior prompting the individual to shoot.

(4) Shots will be fired only with due regard for the safety of innocent bystanders.

(5) In the case of holstered weapons, a weapon should only be removed from the holster when the use of deadly force is reasonably anticipated.

h. Commanders of ACOMs, ASCCs, and DRUs may establish additional considerations in implementing procedures over the use of firearms.

Chapter 4

Less than Deadly Force

4–1. Less than deadly force

a. Law enforcement personnel may employ less than deadly force with the reasonable amount of force necessary under the circumstances to detain or affect a lawful arrest or apprehension of a resisting subject, or to otherwise accomplish the lawful performance of assigned duties as described in this paragraph. In the context of use of force, this regulation uses the term “less than deadly” instead of “nonlethal” because personnel cannot guarantee that properly employed “nonlethal” force will not inadvertently cause severe injury or death. Employment of less than deadly force may include the use of NLWs.

b. Law enforcement personnel using NLW during the employment of less than deadly force, as well as the party the tactic was used against, will be evaluated by medical personnel as soon as the situation allows.

c. Law enforcement personnel may use less than deadly force—

(1) Against persons assaulting other persons or themselves to prevent injury and/or continuation of the assault when lesser means of force have failed or are not considered a viable option in accordance with this regulation.

(2) Against persons offering physical resistance to lawful arrest or apprehension when alternatives to the use of force have failed or are not considered a viable option.

(3) Against persons passively resisting a lawful, full-custody arrest or apprehension when alternatives to the use of force have failed or are not considered a viable option—

(a) To prevent the escape of a prisoner.

(b) To prevent the destruction of DoD property.

(c) Against animals menacing or attacking a person or themselves.

(d) To quell a major or minor disturbance within a correctional facility.

(e) To quell a riot or civil disobedience.

(f) To move or incapacitate an unruly prisoner.

4–2. Jurisdiction and authority

a. The DES, commander of the correctional facility, or PM for each installation, in coordination with the senior or garrison commander and Staff Judge Advocate (SJA), may place further limitations on the use of the LESD, oleoresin capsicum spray, and/or baton beyond what this regulation provides. The servicing SJA is critical in analyzing the particular installation's jurisdictional arrangement and determining whether State law (for U.S. installations) or host-nation law (for non-United States installations) affects the use of the LESD, oleoresin capsicum spray, and baton on the installation.

b. After consultation with the servicing SJA or legal advisor, Commanders will complete a documented inquiry in accordance with AR 15–6, for all incidents involving law enforcement personnel's application of physical force in the performance of their duties. The signed inquiry will be filed as evidence with the completed ROI.

Chapter 5

Launched Electrode Stun Devices

5–1. Launched Electrode Stun Devices

a. An LESD is an ECD used to temporarily incapacitate a noncompliant subject with an electrical stimulus delivered by direct contact or propelled probes. This electrical stimulus affects the sensory and motor functions of the central nervous system, interrupting voluntary control of skeletal muscles and causing immediate, involuntary muscle contractions. The intended effect is neuromuscular incapacitation to ensure the compliance of the noncompliant subject. An LESD is intended to minimize injury to law enforcement personnel, noncompliant subjects, and innocent bystanders. The timely and appropriate use of the LESD can quickly deescalate situations before conditions lead to an increased escalation of force.

b. Before employing an LESD, law enforcement personnel must assess how effective it will be in their given situation. The decision to use an LESD will depend on the totality of the circumstances, including but not limited to, the subject's level of resistance, the nature of the threat to the law enforcement personnel or others, the severity of the subject's suspected crime, and the overall hostility of the situation. After employing an LESD, law enforcement personnel must determine whether the situation warrants further employment based on the continuing presence of the conditions in paragraph 4–1 and the totality of the circumstances.

c. An LESD is not a substitute for deadly force, and law enforcement personnel should not use it in situations where deadly force is necessary.

5–2. Training and certification

a. Training enhances the LESDs effectiveness, protects both the user and the Army against liability, and ensures the safety of law enforcement personnel, the targeted subject, and bystanders. Comprehensive training should go beyond the technical application to include physiological reactions, legal issues, use of force guidelines, tactical circumstances, and applications.

b. Law enforcement personnel will be trained in accordance with this policy and local policy prior to receiving authorization to carry and deploy the LESD.

c. LESD training will include classroom instruction and practical application to include deployment against simulated targets followed by the successful completion of written and practical examinations.

(1) Classroom training will ensure law enforcement personnel understand and can identify the intended purpose, function, rules for use, nomenclature, parts, and characteristics of the LESD and its accessories.

(2) Practical application will consist of function check procedures, cartridge loading and unloading, target management, and preventative maintenance.

(3) Exposure to the LESD's electrical stimulus is optional during training or certification and is at the discretion of the local unit commander.

d. Only those personnel who have successfully completed validated instructor certification or master instructor training, and whose certification is current, will administer training and examinations.

e. LESD training will be entered into Digital Training Management System that will include at a minimum: the trainer's name and rank; the trainee's name and rank; the date, time and location of training; and what training was conducted.

f. Training will be conducted annually at a minimum. Trainees must successfully complete and pass a practical evaluation or other approved lesson plan to maintain current certification.

5-3. Authorized use

a. An LESD is an NLW capability and is not intended to replace firearms or lesser means of force. Law enforcement personnel may use an LESD when all of these conditions are met:

(1) One of the circumstances in paragraph 4-1c is present; and,

(2) Lesser means of force options have been, or likely will be, ineffective; and,

(3) It is reasonable for law enforcement personnel to expect that it will be unsafe to approach within physical contact range of the subject; and,

(4) Law enforcement personnel determine that deadly force is not justified or necessary.

b. An LESD is not a substitute for deadly force, and law enforcement personnel should not use it in situations where deadly force is necessary.

c. Before employing an LESD, law enforcement personnel will give an oral warning and commands to a resisting subject when and if the situation permits. Oral warnings and commands are not necessary if the threat to law enforcement personnel or to the safety of others dictates immediate action.

d. The use of an LESD may eliminate the need for hands-on active countermeasures. Law enforcement personnel may use empty-hand control tactics before employing an LESD as the situation dictates. However, they are not required to attempt empty-hand control tactics if they believe those tactics would be dangerous or ineffective.

e. Notwithstanding paragraph 5-3a, law enforcement personnel will not use an LESD—

(1) When it is known that the subject has come into contact with flammable liquids or is in a flammable environment.

(2) When the subject is in a position where falling may cause significant injury or death.

(3) As a punitive measure to coerce an uncooperative subject.

(4) To awaken an unconscious subject (for example, as a result of intoxication).

f. Additionally, law enforcement personnel will not use an LESD in the following circumstances unless absolutely necessary:

(1) On a subject operating a motor vehicle.

(2) On a subject gripping a firearm.

(3) On women known or suspected to be pregnant.

(4) On persons perceived to be 60 years of age or older.

(5) On persons perceived to be disabled.

(6) On persons perceived to be children 14 years of age or younger.

(7) Or a subject holding a child.

5-4. Precautions and post deployment responsibilities

a. After using an LESD on any subject, law enforcement personnel must seek medical treatment or clearance from medical personnel before further processing the subject.

b. If an LESD's probes are lodged in soft tissue areas near the eye, throat, ear, groin, or genitals, law enforcement personnel will summon medical personnel to the scene to remove the probes or will transport the subject to the nearest medical facility.

c. During processing, the apprehending law enforcement personnel will inform detention center personnel that they used an LESD against the subject. The law enforcement personnel will not transfer a subject to a detention center after use of the LESD if the probes have not been removed, or if the subject has not received requested or required medical care.

Appendix A

References

Section I

Required Publications

Unless otherwise indicated, all Army publications are available on the Army Publishing Directorate website at <https://armypubs.army.mil>.

AR 190–11

Physical Security of Arms, Ammunition, and Explosives (FOUO) (Cited in para 1–8*b*.)

AR 381–20

The Army Counterintelligence Program (Classified) (Cited in para 2–1*b*.)

Section II

Prescribed Forms

This section contains no entries.

Appendix B

Internal Control Evaluation

B–1. Function

The function covered by this evaluation is carrying of firearms and use of force for law enforcement and security duties.

B–2. Purpose

The purpose of this evaluation is to assist unit managers and management control administrators in evaluating the key internal controls listed. It is intended as a guide and does not cover all controls.

B–3. Instructions

These internal controls must be formally evaluated at least once every 5 years. Certification that this evaluation has been conducted must be accomplished on DA Form 11–2 (Internal Control Evaluation Certification). Answers must be based on the actual testing of key internal controls (for example, document analysis, direct observation, sampling, simulation, or other). Answers that indicate deficiencies must be explained and corrective action indicated in supporting documentation.

B–4. Test questions

- a. Are commanders at all levels exercising sufficient control over operations and authorizations involving the carrying of firearms?
- b. Are persons who are authorized to bear or use firearms selected with care?
- c. Are commanders ensuring that persons who are granted authority to carry a weapon have satisfactorily completed mandatory training and proficiency testing?
- d. Are firearms being returned to a designated control point upon completion of duty?
- e. Do personnel who are authorized to carry concealed firearms have written authorization in their possession?
- f. Do military and civilian personnel engaged in law enforcement or security duties use the minimum amount of force necessary to reach their objective?
- g. Are DA personnel who are authorized to carry firearms aboard commercial and/or military aircraft notifying the Federal Security Director, TSA at least 24 hours before the plane departs?
- h. Do commanders conduct an AR 15–6 investigation following use of force incidents?

B–5. Supersession

Not applicable.

B–6. Comments

Help to make this a better tool for evaluating internal controls. Submit comments to the Provost Marshal General (DAPM–MPP–LE), usarmy.pentagon.hqda-dcs-g-3-5-7.mbx.opmg-le-division@army.mil.

Glossary of Terms

Absentee

Any member of the Military Service not classified administratively as a deserter who is absent without authority from his or her unit, organization, or other place of duty where he or she is required to be.

Ammunition

Ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.

Armed

A person equipped with a firearm that has a live round of ammunition in a magazine inserted into the firearm, chamber, or cylinder.

Deadly force

Force that is likely to cause, or that a person knows or should know would create a substantial risk of causing, death or serious bodily harm or injury.

Firearm

Firearm means (a) Any weapon (including a starter gun) which will, or is designed to, or may readily be converted to, expel a projectile by the action of an explosive; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device. It does not include an antique firearm or major military weapons systems or crew-served military weapons (for example, tanks, missiles, aircraft).

Installation

An aggregation of contiguous or near contiguous, common mission-supporting real property holdings under the jurisdiction of or possession controlled by the DA or by a State, commonwealth, territory, or the District of Columbia, and at which an Army unit or activity (Regular Army, USAR, or ARNG) is assigned. An installation is a single site or a grouping of two or more sites for the purposes of real property inventory control.

Interstate or foreign commerce

Includes commerce between any place in a State and any place outside of that State, or within any possession of the United States (not including the Canal Zone) or the District of Columbia, but such term does not include commerce between places within the same State but through any place outside of that State. The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States (not including the Canal Zone).

Law enforcement

Duties which involve the investigation, apprehension, or detention of individuals suspected or convicted of offenses against the criminal laws of the United States, or the protection of officials of the United States against threats to their personal safety, including those engaged in this activity who are transferred to a supervisory or administrative position.

Less than deadly force

The degree of force used that is unlikely to cause death or serious physical injury. As used in this policy, less than deadly force is synonymous with non-lethal and less than lethal force.

Lethal force

Force that is likely to cause, or that a person knows or should know would create a substantial risk of causing, death or serious bodily harm or injury.

Misdemeanor crime of domestic violence

An offense that is classified as a misdemeanor under Federal, State, Tribal, or local law and has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim (generally, a crime punishable by a maximum term of imprisonment that is one year or less).

Possession

Includes both “active possession” and “constructive possession,” whether authorized or unauthorized. Active possession of a firearm or ammunition exists when the firearm or ammunition is in the immediate possession of the person. Constructive possession exists when a person does not have actual possession but instead knowingly has the power and at a given time to exercise dominion and control over the firearm or ammunition, either directly or through others. Possession need not be exclusive but may be joint with others.

Serious bodily harm

Does not include minor injuries, such as a black eye or a bloody nose, but does include fractured or dislocated bones, deep cuts, torn members of the body, serious damage to the internal organs, and other life-threatening injuries.

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