

Army Regulation 190-14

Military Police

Carrying of Firearms and Use of Force for Law Enforcement and Security Duties

**Headquarters
Department of the Army
Washington, DC
12 March 1993**

Unclassified

SUMMARY of CHANGE

AR 190-14

Carrying of Firearms and Use of Force for Law Enforcement and Security Duties

This revision--

- o Implements applicable portions of Department of Defense Directive 5210.56.
- o Clearly establishes minimum qualification requirements for military police and Department of the Army law enforcement and security personnel (para 2-3).
- o Expands authorization documentation options for authorizing officials (para 2-4).
- o Limits and controls the carrying of firearms by Department of the Army military and civilian personnel (para 2-6).
- o Prohibits the carrying of non-Government owned or issued weapons or ammunition (para 2-6).
- o Prohibits carrying of firearms by persons taking prescription drugs or other medication that may cause drowsiness or impair reaction or judgment (para 2-7).
- o Prohibits consumption of alcohol within 8 hours of carrying firearm or flying in aircraft (paras 2-7 and 4-3).
- o Requires the use of deadly force with firearms be applied equally to personnel using a weapon or equipment which, when properly employed in their intended application, would exert deadly force (para 3-2).

Effective 12 April 1993

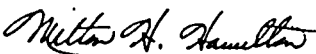
Military Police

Carrying of Firearms and Use of Force for Law Enforcement and Security Duties

By Order of the Secretary of the Army:

GORDON R. SULLIVAN
General, United States Army
Chief of Staff

Official:


MILTON H. HAMILTON
Administrative Assistant to the
Secretary of the Army

History. This UPDATE printing publishes a revision of this publication. Because the publication has been extensively revised, the changed portions have not been highlighted.

Summary. This revision provides guidance on the carrying of firearms and the use of force by personnel engaged in law enforcement and security duties. It implements Department of Defense policy to limit and control the carrying of firearms by Department of the Army military and civilian personnel. It establishes criteria for compliance with its provisions by contract security 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. Authorizing officials are given additional authorization document options and qualification requirements are also clarified. It fully implements applicable portions of DOD Directive 5210.56 (app B).

Applicability. This regulation applies to the Active Army, the U.S. Army Reserve, the Department of the Army civilian police and security guard activities, contracted or contractor security force operations and activities, 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.

Proponent and exception authority. The proponent of this regulation is the Deputy Chief of Staff for Operations and Plans. The Deputy Chief of Staff for Operations and Plans has the authority to approve exceptions to this regulation which are consistent with controlling law in writing to a division chief within the proponent agency in the grade of colonel or the civilian equivalent.

Army management control process. This regulation is subject to the requirements of AR 11-2. It contains internal control provisions but does not contain checklists for conducting internal control reviews. These

checklists are being developed and will be published at a later date.

Supplementation. Supplementation of this regulation and establishment of command and local forms are prohibited without prior approval from HQDA (DAMO-ODL), WASH DC 20310-0440.

Interim changes. Interim changes to this regulation are not official unless they are authenticated by the Administrative Assistant to the Secretary of the Army. Users will destroy interim changes on their expiration dates unless sooner superseded or rescinded.

Suggested Improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQDA (DAMO-ODL), WASH DC 20310-0440.

Distribution. Distribution of this regulation is made in accordance with the requirements on DA Form 12-09-E, block number 3169, intended for command levels A, B, C, D, and E for Active Army and A for Army National Guard and U.S. Army Reserve.

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*This regulation supersedes AR 190-14, 23 September 1988.

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Chapter 1 Introduction

1-1. Purpose

This regulation prescribes policies and procedures for authorizing, carrying, and using firearms in connection with law enforcement and security duties. It establishes uniform policy for the use of force by law enforcement and security personnel.

1-2. References

Required and related publications and prescribed and referenced forms are listed in appendix A.

1-3. Explanation of abbreviations and terms

Abbreviations and special terms used in this regulation are explained in the glossary.

1-4. Responsibilities

a. The Deputy Chief of Staff for Operations and Plans will establish policy covering the carrying of firearms and the use of force by personnel performing law enforcement and security duties.

b. Commanders at all levels will exercise sufficient control over operations and authorizations involving the carrying of firearms, and will ensure—

(1) When use of force is required, only minimum force necessary is applied. (Coordinate with legal counsel, as appropriate, for legal sufficiency for the use of deadly force implementing guidance.)

(2) Individuals being issued a firearm have written authorization in effect before the actual issuance of the weapon.

(3) Personnel permitted to perform law enforcement or security duties or duties guarding U.S. military prisoners—

(a) Receive instruction on use of force for the particular duty or post to which assigned.

(b) Demonstrate knowledge and skill in use of unarmed defense techniques, the military police (MP) club, chemical aerosol irritant projectors, and assigned firearms. Requirements concerning use of the MP club and chemical aerosol projectors apply only when these items are issued and carried on duty.

(c) Are qualified and trained, to include safety functions, on the use of all firearms authorized to be carried according to this regulation (and host nation requirements, overseas).

(d) Are briefed on administrative and safety requirements regarding the carrying of firearms aboard aircraft.

(e) Develop criteria consistent with this regulation and local law, for the carrying of firearms and for the use of force by contract security forces.

1-5. Policy

a. The authorization to carry firearms will be issued only to qualified personnel when there is a reasonable expectation that life or Department of the Army (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 or security duties will be armed.

c. DA personnel are authorized to carry firearms while engaged in security duties, protecting personnel and vital Government assets, or guarding prisoners.

d. The terms of official agreements between the United States and the host government and implementing instructions issued by commanders of major Army commands (MACOMs) of overseas areas will govern the arming of Department of Army personnel in foreign countries. The issuance of authorizations to local and other foreign nationals employed by DA will be governed by agreements or arrangements with the host nation.

e. 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 (DOD) Directive, or an Army regulation (AR):

(1) In a combat zone in time of war.

(2) In a designated hostile fire area when rules of engagement apply, or when the combatant commander issues operations orders setting forth different criteria.

(3) When under the operational control 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.

(4) In civil disturbance mission area.

(5) When DA personnel perform training missions.

Chapter 2 Carrying of Firearms by Law Enforcement and Security Personnel

Section I Authorizations

2-1. Authorizing officials

a. Officers of field grade rank or higher, or civilian equivalent of grade General Schedule (GS)-12 or above may authorize the carrying of firearms for law enforcement and security duties described in paragraph 2-2.

b. The carrying of firearms for personal protection will only be approved on a case-by-case basis per paragraph 2-2d.

(1) The Secretary of the Army may authorize the carrying of firearms for personal protection within the continental United States.

(2) Commanders of MACOMs, or their appointed representative, in an overseas area may authorize the carrying of firearms for personal protection outside the continental United States.

2-2. Authority to carry firearms

a. Due to the serious responsibility imposed on persons authorized to bear or use firearms, such persons must be selected with care.

b. Authorization to carry a firearm includes the authority to permit or require the firearm to be loaded. Unless otherwise specified by local policy, authority to carry a loaded firearm will be implied by issuance of ammunition with the firearm.

c. Authorization to carry firearms may be granted to personnel authorized to—

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

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

(3) Protect the President of the United States, high ranking Government officials, DOD personnel, or foreign dignitaries.

(4) Protect DOD assets and personnel.

(5) Guard prisoners.

d. DA military and civilian personnel may be authorized to carry firearms for personal protection when the responsible intelligence center identifies a credible 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 U.S. or host nation authorities.

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

2-3. Authorization procedures

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

b. Except in situations requiring immediate action to protect life