

## WEAPONS BRIEF AND USE OF FORCE AGREEMENT

### PRIVACY ACT STATEMENT

**AUTHORITY:** 10 U.S.C. 5013, Secretary of the Navy; 10 U.S.C. 5041, Headquarters, Marine Corps; CCO 1601.17 (series). **PURPOSE:** To maintain a record of the required brief and acknowledgement of instructions regarding the use of force for armed duty standers. **ROUTINE USE:** In addition to those disclosures permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, the DoD "Blanket Routine Uses" that appear at the beginning of the Navy's compilation of systems of records notices apply to this system pursuant to 5 U.S.C. 552a(b)(3). **DISCLOSURE:** Voluntary, but failure to submit the information will result in failure to perform the assigned duty.

### PART A - INDIVIDUAL INFORMATION

1. Last Name	2. First Name	3. M.I.	4. Rank	5. Date
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For the following sections, read the text and initial each statement in the space provided, then print and sign your name on the last page.

### PART B - WEAPONS BRIEF

	1. I understand that I will be carrying a Condition 1 M9 Service Pistol. In doing so I will ensure that I follow all four safety rules (listed below). <ul style="list-style-type: none"> <li>a. Treat every weapon as if it were loaded.</li> <li>b. Never point a weapon at anything you do not intend to shoot.</li> <li>c. Keep your finger straight and off the trigger until ready to fire.</li> <li>d. Keep the weapon on safe until you intend to fire.</li> </ul>
	2. I understand the four weapons conditions of the M9/M9A1 Service Pistol. <ul style="list-style-type: none"> <li>a. Condition 1 - Magazine inserted, round in chamber, slide forward, hammer down, and safety on, with a minimum of one additional fully loaded magazine.</li> <li>b. Condition 2 - Not applicable to the M9/M9A1 Service Pistol.</li> <li>c. Condition 3 - Magazine inserted, chamber empty, slide forward, safety on,</li> <li>d. Condition 4 - Magazine removed, chamber empty, slide forward, safety on.</li> </ul>

### PART C - INDIVIDUAL ACKNOWLEDGEMENT OF SPECIFIC INSTRUCTIONS FOR ARMED SECURITY REGARDING THE USE OF FORCE

	1. <u>Inherent Right of Self Defense</u> . Unit commanders always retain the inherent right and obligation to exercise unit self-defense in response to a hostile act or demonstrated hostile intent. Unless otherwise directed by a unit commander as detailed below, I may: <ul style="list-style-type: none"> <li>a. Exercise individual self-defense in response to a hostile act or demonstrated hostile intent.</li> <li>b. However, I understand that when I am assigned and acting as part of a unit, my individual self-defense should be considered a subset of unit self-defense. As such, my unit commander may limit my inherent right of self-defense.</li> </ul>
	2. <u>De-escalation and the Use of Non-Deadly Force</u> . I understand that: <ul style="list-style-type: none"> <li>a. When time and circumstances permit, the threatening force should be warned and given the opportunity to withdraw or cease threatening actions.</li> <li>b. Normally, force is to be used only as a last resort, and the force used should be the minimum necessary. The use of force must be reasonable to counter the threat. If force is required, non-deadly force is authorized and may be used to control a situation and accomplish the mission, or to provide self-defense of DoD forces, 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.</li> </ul>
	3. <u>The Use of Deadly Force</u> . Deadly force is to be used only when all lesser means have failed or cannot reasonably be employed. Deadly force is authorized under the following circumstances: <ul style="list-style-type: none"> <li>a. When there is reasonable belief that a person(s) poses an imminent threat of death or serious bodily harm to DoD persons. Self-defense includes defense of other DoD persons in the vicinity.</li> <li>b. In defense of non-DoD persons in the vicinity, when directly related to the assigned mission.</li> <li>c. When deadly force reasonably appears to be necessary to prevent the actual theft or sabotage of properly designated assets vital to national security. We have one Level 3 restricted area aboard MCAGCC. This area is the Sensitive Compartmented Information Facility located in the 7th Marines Regiment Building 1538. Deadly force is authorized in this area to prevent the theft or removal of classified information.</li> <li>d. When deadly force reasonably appears to be necessary to prevent the actual theft or sabotage of inherently dangerous property (i.e., explosives, weapons ammunition, etc.).</li> <li>e. When deadly force reasonably appears to be necessary to prevent the sabotage of national critical infrastructure. For the purposes of DoD operations, "national critical infrastructure" is defined as President-designated public utilities, or similar critical infrastructure, vital to public health or safety, the damage to which the President determines would create an imminent threat of death or serious bodily harm.</li> </ul>

4. Additionally, when directly related to the assigned mission, deadly force is authorized under the following circumstances:

a. When deadly force reasonably appears to be necessary to prevent the commission of a serious offense that involves imminent threat of death or serious bodily harm (for example, setting fire to an inhabited dwelling or sniping), including the defense of other persons, where deadly force is directed against the person threatening to commit the offense. Examples include murder, armed robbery, and aggravated assault.

b. When deadly force reasonably appears to be necessary to prevent the escape of a prisoner, provided there is probable cause to believe that such person(s) have committed or attempted to commit a serious offense, that is, one that involves imminent threat of death or serious bodily harm, and would pose an imminent threat of death or serious bodily harm to DoD forces or others in the vicinity.

c. When deadly force reasonably appears necessary to arrest or apprehend a person who, there is probable cause to believe, has committed serious offense (as indicated in paragraph 3, above).

5. Additional Specific Instructions:

a. I am prohibited from firing warning shots.

b. I will remove my pistol from my holster only when:

(1) The use of deadly force is imminent, or to affect the apprehension of a suspect I believe to be armed or dangerous, or to gain control of dangerous situation.

(2) Ordered to do so by competent authority.

(3) Returning it to storage.

(4) Cleaning it in an authorized area.

c. I will show due regard for the safety of innocent by-standers when using force.

6. I will not point any firearm at any person, except:

a. To gain control of a situation.

b. When I intend to use deadly force.

7. If I remove my pistol from its holster, proper notifications will be made and a Statement of Force form (NAVMC 11130) completed. The NAVMC 11130 is available on the Naval Forms On-Line website at <https://navalforms.documentservices.dla.mil>.

8. When clearing a firearm, I will follow current policies and procedures pertaining to firearms handling, clearing, and safety.

a. When drawing a weapon from the PMO armory, rounds will be drawn after ensuring the weapon is clear.

b. When returning a weapon to the PMO armory, rounds will always be properly accounted for and turned in prior to clearing the weapon, unless a round has been chambered.

c. I will report any violation of these policies or procedures immediately to the proper authority.

9. I am prohibited from using a privately owned firearm or ammunition on duty.

10. **Acknowledgement.** I have been instructed on the use of deadly force and acknowledge that I understand and will comply with the basic rules for the use of force and weapons safety. I acknowledge that failure to comply with the basic rules for the use of force and weapons safety may result in administrative, disciplinary and/or criminal penalties.

a. Print Name		
b. Signature		c. Date