

ONIINST 5500.1D
ONI-512
31 October 2001

ONI INSTRUCTION 5500.1D

Subj: USE OF FORCE BY SECURITY DIRECTORATE PERSONNEL
ENGAGED IN
LAW ENFORCEMENT AND SECURITY DUTIES

Ref: (a) SECNAVINST 5500.29B
(b) OPNAVINST 3591.1C
(c) OPNAVINST 5580.1A

1. Purpose. Per reference (a), this instruction promulgates uniform policy and procedures concerning the use of force by all Office of Naval Intelligence (ONI) civilian and military personnel engaged in law enforcement or security duties.

2. Cancellation. ONIINST 5500.1C.

3. Policy. The responsibility of personnel engaged in law enforcement or security duties normally extends to the protection of persons and property and may involve the use of force. ONI civilian and military personnel will avoid the use of force where they can carry out their duties without resorting to its use. In cases where the use of force is warranted, personnel will use only the minimum amount of force necessary to discharge their duties. Escalation of the methods of force used must be consistent with the need for the lowest level of force required to effect the degree of resistance.

4. Authorized Methods of Force. Per reference (b), the minimum (R) amount of necessary force will be used in all situations. Personnel engaged in law enforcement or security duties are authorized to use the following methods of force, when appropriate:

a. Verbal Commands

(A

b. Physical Restraint Techniques (e.g., come-along holds, etc.)

c. Handcuffs. Used as a temporary restraint device for self-protection and transportation.

ONIINST 5500.1D
31 October 2001

A) d. Riot Control Agents and Oleoresin Capsicum (OC). May be used to subdue, in self-defense, or for the protection of a third party, if circumstances warrant their use. Per reference (c), if riot control agents are used, personnel will receive medical attention as soon as possible. A person who has been sprayed will not be released until he/she has been advised of the safety measures to be taken, or until medical treatment has been received. OC will be issued to personnel who have completed required training. Documentation of the training will be maintained in individuals' training records.

e. Batons. Used to subdue a resisting aggressor in self-defense and defense of others. Police batons will be issued to personnel who have completed required training. Documentation of the training will be maintained in individuals' training records.

d. Firearms. No firearm will ever be drawn unless there is a reasonable expectation that its actual use will be necessary. Firearms will only be used in self-defense and defense of others, and only as a last resort when all lesser means of force have failed or cannot reasonably be employed. A firearm will not be discharged if it is likely to endanger the safety of innocent bystanders. Training and certification will be conducted in accordance with

reference (b). Personnel are not authorized to discharge a firearm under any of the following circumstances:

(1) As warning shots;

(2) At persons who have committed a misdemeanor offense or traffic violation;

(3) To prevent the destruction or theft of property;

(4) To halt any person who evades custody to avoid detention; or

(5) From a moving vehicle.

5. Use of Deadly Force. Deadly force is the use of force that may result in death or great bodily harm to the person against whom the force is applied.

ONIINST 5500.1D
31 October 2001

a. Use of deadly force is only authorized for self-defense and defense of others when it reasonably appears to be necessary to protect themselves or others who reasonably believe themselves to be in imminent danger of death or serious bodily harm.

b. Its use is justified only under conditions of extreme necessity and as a last resort when all lesser

means of force have failed or cannot reasonably be employed.

c. 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.

d. Shots shall be fired only with due regard for the safety of innocent bystanders.

6. Reporting Procedures in Use of Force Incidents.

Whenever personnel, while in the performance of their law enforcement or security duties, are involved in an incident where any use of force is inflicted upon another person, they will immediately notify the Police Watch Commander.

L. T. BORTMES
Captain, U. S. Navy
Commander, Office of Naval Intelligence