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***Security***

# *SECURITY FORCES STANDARDS AND PROCEDURES*

**COMPLIANCE WITH THIS PUBLICATION IS MANDATORY**

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This instruction implements Air Force Policy Directive (AFPD) 31-1, *Integrated Defense*. It provides guidance on general Security Forces (SF) duties and Law and Order (L&O) Operations. Compliance with this instruction is mandatory and applies to Department of the Air Force (DAF) military, civilian, Air Force Reserve Command (AFRC), Air National Guard (ANG), military and civilian personnel from other United States (US) military branches assigned or attached to United States Air Force (USAF) units, contract SF, and government-owned, contractor-operated (GOCO) and contractor-owned, contractor operated (COCO) facilities. The terms "must," "shall" and "will" denote mandatory actions in this instruction. Refer recommended changes and questions about this publication to the Office of Primary Responsibility (OPR) using AF Form 847, *Recommendation for Change of Publication*; route AF Forms 847 from the field through the appropriate functional' s chain of command (CoC). Any organization may supplement this instruction. Requests for waivers must be submitted through the chain of command to the

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**(ELLSWORTH)** AFI31-118, 5 March 2014, is supplemented as follows: It provides guidance pertaining to general security forces duties and law enforcement operations. This supplement applies to all organizations assigned or attached to the 28th Bomb Wing (28 BW). Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with AF Manual (AFMAN) 33-363, Management of Records, and disposed of in accordance with the USAF Records Disposition Schedule (RDS). Send comments and suggested changes to this supplement on AF Form 847, *Recommendation for Change of Publication* to 28 BW/CP, 1956 Scott Dr. Suite 1, Ellsworth AFB SD 57706.

## *SUMMARY OF CHANGES*

This interim change revises AFI 31-118 by (1) updating guidance for SF staff arming, (2) updating the SF standard post briefing, updating AF Forms 1176 and 1364 (form revisions incorporate recent changes to case law and practice), and updating the authorities transferred to the Air Force Installation and Mission Support Center (AFIMSC) as outlined in the Headquarters United States Air Force (HQ USAF) Program Action Directive (PAD) 14-04, Implementation of the Air Force Installation and Mission Support Center (AFIMSC).

**(ELLSWORTH)** This document has been substantially revised and must be completely reviewed. Deleted Figure 1, and added Attachment 16. Office symbols and phone numbers have changed.

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# Chapter 1

## FUNCTIONAL RESPONSIBILITIES

**1.1. Headquarters Air Force Director of Security Forces (AF/A7S).** Provides and develops policy and guidance for Security Forces programs in order to protect USAF installations from terrorism, criminal acts, sabotage and acts of war.

**1.2. Air Force Installation & Mission Support Center (AFIMSC) Primary Subordinate Unit (PSU) Air Force Security Forces Center (AFSFC).** Provides Air Force commanders with guidance on implementation of SF programs.

**1.3. Major Command SF (MAJCOM/A4S).** Establishes command unique programs and policies, outside the scope of AFIMSCs responsibilities, to ensure protection of command installations, personnel and resources.

**1.4. Installation Commander.** Installation commanders are responsible for all operations performed by their installation, including Integrated Defense (ID) operations.

**1.5. Defense Force Commander (DFC).** Designates Security Forces programs to protect installation personnel and resources. The title Defense Force Commander is synonymous with Chief of Security Forces (CSF) and Senior Antiterrorism Officer (ATO) and may be used interchangeably.

## Chapter 2

## SECURITY FORCES PERSONNEL

**2.1. Security Forces Mission Statement.** Security Forces protect, defend and fight to enable USAF, Joint and Coalition missions.

**2.2. Security Forces Vision.** Mission-ready, resilient and air-minded SF organized, trained and equipped to deliver enduring integrated defense against threats to the Air Force, Joint and Coalition missions; recognized and respected for our air-centric expertise.

**2.3. Military Ethics and the Security Forces Code of Conduct.** AFI 1-1, *Air Force Standards*, provides a set of ethical principles for Airmen and Air Force Civilian Police/Security Guard (DAF CP/SG) to live by in their professional and personal life. By practicing these ethical standards, all SF personnel will live and work in a manner consistent with Air Force values. The Security Forces Code of Conduct (**Attachment 2**) provides career field specific standards to help SF Airmen and DAF CP/SG understand how to translate Air Force ethics into their day-to-day job. It is built on the premise that Security Forces' fundamental duty is to serve the community, and the shield and beret is a symbol of public faith and trust. As a public servant, it is the Security Forces' duty to remain above reproach and a higher standard of conduct is demanded and expected. The Security Forces Pledge (**Attachment 3**) captures the spirit and intent of the Code of Conduct.

**2.4. Security Forces General Orders.** Security Forces duties and responsibilities can vary greatly from one location to another, but the General Orders overarch the entire spectrum of SF duties and serve as an important guide while in the performance of those duties. The number of posts as well as their limits and responsibilities are determined locally. However, the basic General Orders remain the same. The general orders are as follows:

2.4.1. *I will take charge of my post and protect personnel and property for which I am responsible until properly relieved.* SF members have been entrusted with the protection of personnel and resources and, as such, will not leave nor abandon any post. SF personnel will stay within post limits, until proper relief has occurred. This is true regardless of how long one has been posted and regardless of conditions. In the event of an extenuating circumstance, the second General Order below provides further guidance.

2.4.2. *I will report all violations of orders I am entrusted to enforce and will call my superior in any case not covered by instructions.* SF members have the authority to apprehend anyone violating those orders. If any situation arises that is not covered by written instructions, SF personnel will contact their superiors for guidance. If an SF member cannot contact superiors, they must exercise discretion and act according to training, best judgment and common sense.

2.4.3. *I will sound the alarm in case of disorder or emergency.* SF members must report any event threatening security of the installation or endangering life or property. Additionally, they will take reasonable actions to save lives and property.

**2.5. The Department of the Air Force Civilian Police/Security Guard (DAF CP/SG) Program.** The DAF CP/SG program is an integral part of Integrated Defense, which is a core function of the USAF SF. Both military and civilian police have equal roles in day-to-day

operations. These operations include active and passive defense measures employed across the legally-defined ground dimension of the operational environment to mitigate potential risks and defeat adversary threats, as well as to promote public order and efficient military operations. Law and Order Operations directly contribute to an installation's ID and encompass many special disciplines. These include crime prevention, criminal investigations, corrections, traffic enforcement, access control and military working dogs. DAF CP/SGs are not only an integral component, but are fully integrated into SF units. The integration of DAF CP/SGs into SF units is a unit responsibility. DFCs, operations officers, SF Managers (SFM) and other senior squadron personnel must work together to build a cohesive SF unit. For further guidance refer to AFI 31-122, *Department of the Air Force Civilian Police/Security Guard (DAF CP/SG) Program*. For the purposes of this instruction DAF CP/SG are considered SF, unless there are specific issues requiring DAF CP/SG be addressed separately.

**2.6. Security Forces Quick Reference Guide.** All SF members, regardless of rank, need to become extremely familiar with maneuvering through the e-publishing web site in order to access policy and guidance information quickly and efficiently. Security Forces use a multitude of policies and guidance publications, such as: Air Force Policy Directives (AFPDs), Air Force Manuals (AFMANs), Air Force Instructions (AFIs), Air Force Handbooks (AFHs), Career Field Education and Training Plans (CFETPs), Air Force Joint Instructions (AFJIs) and many additional types of references and guidance publications. The most up-to-date AF forms and publications can be found at the Air Force and DoD electronic-publications websites online.

2.6.1. Security Forces use publications for day-to-day operations. Series 10 (Operations), 31 (Security) and 36 (Personnel) are a few examples, but are not all encompassing.

2.6.1.1. Series 10 publications incorporate AF operational policy and guidance, e.g., AFI 10-245, *Antiterrorism.*

2.6.1.2. Series 31 publications incorporate all Security Forces policy and guidance.

2.6.1.3. Series 36 publications incorporate policy and guidance affecting AF personnel. AFI 36-2646, *Security Forces Training and Standardization Evaluation Programs,* is an example of a 36 series AFI SF utilize.

2.6.1.4. With respect to the Manual for Courts-Martial (MCM), specific areas to understand are Rules for Courts-Martial (RCM): Rule 302, Military Rules of Evidence (MRE); Rules 304, 305, 313 - 317, 321; and Uniform Code of Military Justice (UCMJ) Articles 2, 5, 7, 31, 32, 77 - 134 (Offense Elements) and 136.

2.6.2. Security Forces will adhere to MAJCOM and local policy and guidance which may not be found at the above listed locations. For MAJCOM and local policies, refer to the local SF unit's operations section.

## Chapter 3

## SECURITY FORCES UNIFORM AND EQUIPMENT

**3.1. General Information.** Security Forces must wear a distinctive uniform for quick identification. SF personnel are constantly in the public eye, so they must set the highest standard of dress and appearance. AFI 36-2903, *Dress and Personal Appearance of Air Force Personnel*, contains guidance on proper wear of SF uniforms. AFI 31-122 stipulates DAF CP/SG badges, dress and appearance standards.

**3.2. The Security Police/Forces (SP/SF) Shield.** Uniformed SF members wear the SP/SF shield. Do not abuse this symbol of authority. AFI 31-206 (under review and will be published as AFI 31-115, *Security Forces Investigations Program)* establishes procedures for display of the shield by SF investigators not in uniform. The following guidelines apply to the issue and wear of the shield:

3.2.1. Wear the metallic shield only on the blue uniform combinations.

3.2.2. SF members are issued their shield upon graduation from the Security Forces Apprentice Course. SF units may purchase and issue badges to authorized SF personnel.

3.2.3. The DFC may elect to present the shield to retiring Security Forces members. Additionally, the DFC may elect to present the shield to the next of kin of Security Forces members who have died while on active duty.

3.2.4. As the USAF specialty most closely associated with the enforcement of good order and discipline on an installation, SF of all grades must set the example for others to follow on/off-duty. The conduct of SF members must be above reproach at all times. Should a member's conduct not conform to this standard and have their trustworthiness to execute the authorities vested in them become suspect, the commander may temporarily or permanently prohibit the member from wearing the SP/SF shield and beret. Grounds for removal of the SP/SF shield and beret include violations of the Security Forces Code of Conduct. This action is not punishment but is associated with administrative, non-judicial or judicial action. **NOTE:** For DAF CP/SG issues, refer to civilian personnel office.

3.2.4.1. To permanently remove an Airman's AF Specialty Code (AFSC), commanders should refer to AFI 36-2626, *Airman Retraining Program*.

**3.3. Force Protection Occupational Badge.** The DFC may authorize persons in their command to wear the force protection occupational badge. AF/A7S may authorize appropriate persons to wear the badge. Award the badge to military personnel who acquire certain skill levels and demonstrate honorable service in the SF career field.

3.3.1. Allied nation, other US service and other USAF personnel performing instructor or liaison duty with a USAF SF organization wear the qualification badge commensurate with time requirements listed in AFI 36-2903.

3.3.2. Airmen assigned to the AFRC or ANG are eligible for award of the qualification badge.

3.3.3. Once approved, present the badge at an appropriate ceremony.

3.3.4. The DFC may rescind the badge should the bearer lose their Security Forces AFSC for misconduct.

**3.4. Security Forces Equipment.** Authorized SF equipment is contained in the approved SF Equipment List maintained on the HQ AFSFC website. HQ AFSFC/SFX identifies and evaluates commercially available and government-developed equipment necessary to support Service-wide needs for SF personnel. SFXR conducts a semi-annual USAF SF Equipment Weapons Configuration Board (EWCB) to update equipment listings, provide a forum to work SF-related equipment problems and work logistics detail issues with MAJCOM Security Forces staff representatives.

3.4.1. AFSFC manages, monitors or provides approval authority, as appropriate, for the following Allowance Source Code (ASC) dealing with SF equipment:

3.4.1.1. ASC 001 -- *Master Equipment Management Index*.

3.4.1.2. ASC 002 -- *Monthly Allowance Notice (Update).*

3.4.1.3. ASC 009 -- *Small Computers and Equipment*.

3.4.1.4. ASC 010 -- *Registered Vehicles*, ASC 012 -- *Leased Vehicles*.

3.4.1.5. ASC 016 -- *Clothing*.

3.4.1.6. ASC 538 -- *Security Forces Equipment (General) and Weapons*.

3.4.1.7. ASC 629 -- *Audio Visual*.

3.4.1.8. ASC 660 -- *Communications Equipment*.

**3.5. Military Standardized Uniforms and Equipment.** The approved standardized SF daily use (non-LOGDET) equipment listing is found on the AFSFC SMARTNet website.

3.5.1. Security Forces personnel are required to utilize only approved and standardized duty equipment. Procurement and use of private commercial duty gear, which does not constitute a weapon or a non-lethal weapon, is authorized, as long as it is not covered by AF/A7S mandatory use policies. Local policy may dictate specific configuration of required equipment.

3.5.1.1. When on duty SF personnel arm with the standard M9 handgun, only an approved standardized holster may be used. Shoulder holsters are not authorized for SF personnel in uniform unless an exception is made in writing by the DFC. This exception is normally for personnel who have a medical waiver or who for other legitimate reasons cannot wear the standard holster. If the DFC has approved this exception in writing, these personnel will wear the authorized holsters listed by the AFSFC in the AF Small Arms and Light Weapons Accessories List.(T-2) All personnel subject to this exception will complete required training IAWAFI 36-2226, Combat Arms Program. SF personnel who are on the on-duty flight posting roster or are considered part of a flight augmentation or contingency response force will wear or carry the following equipment with the M9 handgun arming configuration: SF shield or DAF badge, Common Access Card (CAC), restricted area badge (if applicable), whistle, hearing protection, operational flashlight, operational radio, ammo pouch for assigned weapon, non-lethal weapon, cold/foul weather gear, handcuff with key, approved duty belt/harness, protective mask (if required), night vision device (applies to all posts and patrols during hours of

darkness), and will wear AFSFC approved body armor.(T-2) The DFC will approve, in compliance with the AFSFC SF standardized daily equipment listing, any additional equipment configuration. **(T-3)**

3.5.1.2. SF personnel who are on the on-duty flight posting roster or are considered part of a flight augmentation or contingency response force will wear or carry the following equipment with the M-4/M-16 arming configuration: Defensor Fortis Load Carrying System (DF-LCS), SF shield or DAF badge, Common Access Card (CAC), restricted area badge (if applicable), whistle, hearing protection, operational flashlight, operational radio, ammo pouch for assigned weapon, cold/foul weather gear, handcuff with key, protective mask (if required) night vision device (applies to all posts and patrols during hours of darkness), and will wear AFSFC approved body armor.(T-2) The DFC will approve, in compliance with the AFSFC SF standardized daily equipment listing, any additional equipment configuration. **(T-3)**

3.5.1.3. When arming SF staff personnel with a M9 pistol who are not on the on-duty flight posting roster and not considered part of a flight augmentation or contingency response force, DFCs may authorize use of Privately Owned Vehicles (POVs) and locally waive the wear of SF standardized daily required equipment listed in AFI 31-118, *Security Forces Standards and Procedures*, AFI 31-101, Integrated Defense, and AFMAN 31-201, V3, *Flight Operations*. Any SF equipment deviations will be identified in writing by the DFC.(T-3) When armed in this capacity, SF staff personnel must have, at a minimum, which cannot be waived, the ability to communicate with the Base Defense Operations Center (BDOC) as well as responding patrols and if time permits and gear is available, don ballistic vest prior to emergency response. **(T-2)**

3.5.1.3.1. SF Staff personnel who are designated to carry concealed firearms are required to be identified in writing by the DFC IAW AFI 31-117, *Arming and Use of Force by Air Force Personnel*, as well as complete the appropriate course of fire/training with a concealed holster IAW AFI 36-2226, *Combat Arms Program*. Additionally, the member will carry an AF Fm 523, USAF Authorization to Bear Firearms, IAW AFI 31-117, except when circumstances compromise the mission. **(T-1)**

3.5.1.3.2. SF who are not assigned to the installation level base defense force, to include SF assigned to Squadron, Group, PSU, MAJCOM, NAF, FOA, DRU and others, may be authorized to arm by the appropriate arming authority. When armed, and if responding to an incident, these SF members are detailed or tactical control (TACON) to the installation level base defense force.

3.5.2. Uniform and equipment wear will be consistent for all Security Forces personnel as required by the type of weapon(s) the member carries.

3.5.3. MAJCOM/A7S and installation DFC will specify any additional equipment requirements.

3.5.4. Mourning Bands. Mourning bands may be worn at the discretion of the DFC.

**3.6. Land Mobile Radio (LMR) Systems.** The LMR system is the primary means of communication used to control SF operations. AFIMSC determines requirements for "secure voice" equipment (refer to AFI 31-101, Integrated Defense, for further information).

3.6.1. SF use standard practices to ensure the radio net operates smoothly during normal and emergency situations. Do not use slang language; reference **Attachment 4** of this publication for SF responses and brevity codes. Military radio transmissions must comply with Federal Communications Commission (FCC) regulations. The Allied Communication Publication (ACP) 125 (F), prescribes procedures for SF using two-way radios. (T-0)

3.6.2. Net Control Station. When three or more two-way radios use a single radio net (frequency), establish a net control station according to the local installation communications officer's direction.

3.6.3. Commanders ensure a positive Communications Security (COMSEC) program exists for radio communications when they:

3.6.3.1. Use standard response codes to identify the urgency of each radio dispatch. (See **Attachment 4**).

3.6.3.2. Devise local duress or signal codes to indicate an emergency or duress situation when they do not wish to alert any unauthorized listeners.

3.6.3.3. Decode data encryption system equipped radios before servicing.

3.6.3.4. Decode vehicle radios before releasing the vehicle to any maintenance activity.

3.6.4. Consider equipping the Base Defense Operation Center/ Emergency Control Center (BDOC/ECC) with a two-way radio capable of communicating on the local civilian police emergency frequency. If a two-way radio is not available or practical, use a mutually agreed upon system that facilitates rapid emergency notification to civilian police like E-911. Negotiate for and fund such equipment at the installation level. Set up operating instructions according to local civilian police regulations.

3.6.5. Personnel utilizing the E-911 system must be trained IAW Federal and state laws. (T-0)

**3.7. Telephone Systems.** Commercial and tactical telephone systems augment the LMR. Connect all fixed SF posts to BDOC by dial or direct telephone lines.

**3.8. Vehicle Equipment.** Table of Allowances (ToAs) and technical orders (TOs) establish authorized equipment. The servicing Vehicle Management activity must be consulted prior to the installation of “add-on” equipment. See AFI 24-302, *Vehicle Management*, for more information. As a minimum, equipment permanently assigned to non-tactical vehicles will include the following: (T-2)

3.8.1. Warning Light System. Use a warning light system in the form of a magnetic or permanent mount-type single or multiple flashers, rotating or strobe light system. Mount the system either on the vehicle roof, on a "roof bar," on the dashboard and rear window platform or on the front bumper and the rear window platform. Do not mount lights inside the vehicle front grill. **NOTE:** Vehicles assigned/used by SF investigations may use covert emergency warning lights that may require the placement behind the front grill.

3.8.2. Siren System. Mount the siren in concert with a roof-mounted warning light system or under the vehicle hood.

3.8.3. Public Address System. Use either a portable system ("bullhorn") or a permanent system. Mount the permanent system in concert with a roof-mounted warning light bar system or under the vehicle's hood.

3.8.4. Spotlight. Use either a portable spotlight (battery-operated or cigarette lighter plug-in type) or a permanently mounted spotlight. If a permanent-mount type is used, mount the spotlight on the vehicle roof, "roof bar" or on the driver's side door frame pillar.

3.8.5. Land Mobile Radio. Use a permanently mounted multi-channel mobile or portable hand-held radio. Install radios so the driver has easy access and does not interfere with safe vehicle operation.

3.8.6. A general purpose first aid kit (NSN 6545-00-922-1200 or equivalent).

3.8.7. Extinguisher. A 2 1/2 pound ABC rated dry chemical fire extinguisher.

3.8.8. Bloodborne Pathogen Protective Kit (required in all SF vehicles). Contents must include one-way respiratory cardio-pulmonary resuscitation (CPR) mask, surgical gloves, eye protective goggles or glasses with side shields, surgical mask and surgical gown. The DFC and installation medical officer determine other contents of the kit, for example, spit hoods as discussed in AFMAN 31-222, *Air Force Use of Force Manual*. Train those personnel determined to have occupational exposure to bloodborne pathogens about how to use kit contents. **Attachment 5** contains the requirements for a Bloodborne Pathogen Exposure Control Plan. (T-0)

3.8.9. Remove unit level equipment before turning in vehicle for maintenance. **NOTE:** Exceptions may include posting/investigation vehicles.

**3.9. Security Forces Vehicle Identification Markings.** Refer to T.O. 36-1-191 for guidance on marking SF vehicles. The servicing Vehicle Management activity must be consulted prior to the installation of any vehicle decals or markings. (T-2)

**3.10. Vehicle and Vehicle Equipment Care.** Before each tour of duty, inspect vehicles and vehicle equipment for safety and maintenance deficiencies. Test all warning lights, sirens, public address systems, spotlights, etc. Report deficiencies to the on-duty flight chief/commander. Annotate all discrepancies and deficiencies specific to the vehicle on the AF Form 1800, *Operator's Inspection Guide and Trouble Report*, assigned to that vehicle. If the deficiency is a safety issue, do not operate the vehicle until the deficiency is repaired or corrected. Vehicles should always present a clean appearance, weather permitting. Further information on SF vehicle operation can be found in **Attachment 6.**

3.10.1. Speedometer Validation. Validate the speedometer of all traffic patrol vehicles IAW local laws, if applicable. Patrol vehicle validation is only required if vehicles are used in lieu of a RADAR. The process to document vehicle speed can be performed by SF units validating speedometer accuracy using stationary radar. All radar units require calibration at designated intervals to ensure accuracy. True vehicle speed will be documented in 5-mph increments up to the maximum speed safe for the installation, but not to exceed 60 mph. Post results in each affected vehicle. If vehicle speedometer readings do not meet standards (+/- 5 mph) or a malfunction is suspected, contact the servicing Vehicle Management Office for assistance. (T-0)

**3.11. Vehicle-Mounted Video Surveillance Systems.** Units may use vehicle-mounted video surveillance systems as a tool to enhance their law enforcement and public safety role. Carefully evaluate the cost and the need before buying video systems. The following guidelines apply:

3.11.1. MAJCOM SFs approve unit requests for video systems.

3.11.1.1. Installation Staff Judge Advocates (SJA) must coordinate in writing on the use, presentation, securing and disposition of recorded data. However, as a minimum, the vehicle-mounted video system will only be used when actively engaged in patrol activities (which includes traffic stops or any contact with a person, not on traffic accidents) and cannot be in use when the vehicle is parked and unattended in a non-enforcement function. Recorded data must be processed, maintained and documented in accordance with paragraph 8.2., Preserving Evidence. (T-1)

3.11.1.2. Vehicle-mounted video surveillance system recorded data must be stored/housed in a locked, tamper proof container with access only by the on duty flight chief/commander. (T-1)

3.11.2. There is no centrally managed procurement program for video systems. Units must determine needs locally and procure the appropriate system that best meets their needs. Research the state and local requirements for possible restrictions prior to procurement of any system. Additionally, consider sustainment and maintenance cost for the life cycle of the system.

3.11.3. Follow standard supply acquisition procedures.

**3.12. Tactical Ballistic Protection System.** Each Security Forces member will be equipped with body armor. Security Forces conducting L&O operations must have lightweight body armor with minimum threat level II or higher. Other protective clothing and equipment may be issued when approved by the Installation/Activity Commander. (T-1)

## Chapter 4

## SECURITY FORCES ACTIVITIES

**4.1. Duty Expectations.** Security Forces provide the foundation of the Integrated Defense (ID) concept.

4.1.1. Reporting for Duty. All personnel must report for duty fit and prepared to assume their assigned post. Each of the following paragraphs addresses areas of concern for members reporting for duty.

4.1.2. Physical and Mental Fitness for Duty. Security Forces and augmentee personnel must be capable of performing physically demanding tasks under often harsh, unforgiving, unpredictable and sometimes life-threatening conditions. Maintaining proper fitness is essential to mission accomplishment and the survivability of our Defenders. It is each individual's responsibility to maintain appropriate levels of physical conditioning and adherence to USAF fitness standards.

4.1.2.1. In addition to physical fitness, personnel must adhere to the following:

4.1.2.1.1. Be mentally alert.

4.1.2.1.2. Abstain from consumption of alcoholic beverages within 8 hours of duty or an additional amount of time if the alcohol influences the member's capability to perform their duties.

4.1.2.1.3. Inform supervisor of prescription and non-prescription drugs that might impair duty performance.

4.1.2.1.4. Inform supervisor of any mental distractions caused by unusual stress or crisis.

4.1.3. Maintain Proper Qualifications for Assigned Post. Supervisors and their members must ensure individuals possess all qualifications and certifications to perform duties in their assigned post. Examples include: vehicle and weapon qualifications and required duty-position certifications for specific duty posts. (T-1)

4.1.4. Arming and Equipping SF. Arming and equipping of SF personnel will be IAW AFI 31-117 and AFI 31-101, AFIMSC, and MAJCOM requirements and as required by the Integrated Defense Council (IDC). DFCs will ensure all armed SF members carry at least one AF approved Non-lethal Weapon (NLW) capability regardless of mission. **(T-1)**

4.1.5. Duty Schedule. The DFC determines unit flight schedules based upon unit needs. Consider the following basic requirements when developing flight schedules:

4.1.5.1. The standard flight schedule is the 8-hour shift schedule. However, due to high deployment rates/ contingencies, Security Forces may be required to work 12-hour shifts for short periods of time at the discretion of the DFC.

4.1.5.2. Flight schedules should provide periods for the completion of proficiency and recurring training requirements.

4.1.5.3. Flight schedules should provide a schedule to allow members uninterrupted sleep (7-9 hours) while off-duty to prepare for their next shift.

4.1.5.4. Irrespective of the type of flight scheduling used, it is important that posts and patrols be staffed according to the post priority chart. On-duty time and time off should be commensurate with effective employment of Security Forces personnel.

4.1.5.5. Scheduling. Post the flight duty roster in a prominent place, but consistent with sound Operations Security (OPSEC) practices. The duty roster should show the schedule and post for at least the next duty day. This advance notice gives each person the opportunity to ensure they report for duty in the correct uniform.

**4.2. Security Forces Guardmount.** Guardmount is an official military function conducted at the start of the SF shift. Guardmount may be used to conduct roll call, announcements, weapons and equipment inspections and post assignments. It may also be used to determine the readiness of personnel, to include their appearance, as well as mental and physical condition. Conduct open ranks inspections at least once per work cycle IAW AFMAN 36-2203, *Drill and Ceremonies,* and annotate it in the AF Form 53, *Security Forces Desk Blotter*. Guardmount is also an appropriate opportunity for recognition of deserving personnel. Ultimately, SF commanders will determine the standardization of Guardmount for their unit (i.e., weapons and equipment inspections may be conducted prior to Guardmount). Additionally, the following items should be briefed during Guardmount:

4.2.1. Brief weapons safety, ground safety, K9 safety, vehicle safety, exercise safety, current Force Protection Condition (FPCON), sign/countersign, duress words and current Be On the Look Out (BOLO) bulletins.

**4.3. Post Visits.** Post visits are a means for Senior Wing/Base Leaders, First Sergeants, Chaplains, etc., to inspect facilities, take questions, ascertain the welfare of personnel and build morale. Post visits should be conducted during both day and night hours and be documented in the AF Form 53.

**4.4. Post Checks.** Unit leadership and on-duty supervisory personnel will conduct post checks to ensure posted personnel remain alert and are knowledgeable of assigned duties and responsibilities. Post checks also include inspection of SF facilities and vehicles, as well as individual and post-related equipment. Post checks must be documented in the AF Form 53. (T-2)

**4.5. Security Forces Duty Officer Program.** The DFC will establish an SF duty officer program. SF SNCOs and officers will be appointed to perform post checks, observe exercises, inspect equipment/facilities and provide feedback, in writing, to the commander on unit readiness and areas of concern. The SF duty officer program does not relieve the DFC and SFM from conducting, at a minimum, a monthly post check on all flights and S-functions while on duty. (T-3)

**4.6. Post Reporting.** Post briefings are a SF tradition and help our defenders verbally articulate their connection to the Air Force and installation missions. SF members provide post briefings as part of a formal post check or visit by the chain of command or DVs escorted by the chain of command. SF members report the status of their post to the senior person conducting the post check or visit. Post briefings will not be provided to personnel sitting in vehicles or within traffic lanes. Additionally, SF members use Attachment 7 as a template for a standardized Post Briefing. The DFC will determine if any additional personnel will be added to their local post reporting. **(T-3)**

4.6.1. Security must be maintained during a post check or visit and post briefings should not distract posted SF members from their primary duties. If required, additional armed SF will maintain security during post briefings.

## Chapter 5

## JURISDICTIONS

**5.1. Jurisdiction.** Jurisdiction is the authority, capacity, power or right to apply the law. This authority involves the right to charge a person with an offense, try them in a court and make a final determination of their case through courts of appeal. SF personnel must be knowledgeable about the type of jurisdiction in their operating environment and use the SJA as the focal point for determining SF jurisdiction.

5.1.1. Security Forces are representatives of the US Government, the US Armed Forces, the installation commander and the DFC. The Manual for Courts-Martial (MCM), Rules for Courts-Martial (RCM), Rule 302(b) (1), and UCMJ, Article 7(b), give SF the authority to apprehend individuals. Carry out this important duty in a fair, impartial and firm manner.

5.1.2. Noncommissioned officers and on-duty SF or SF Augmentation Duty personnel performing investigative, law and order or security duties have the authority to administer oaths to suspects, subjects, witnesses and victims, as required. For further information, refer to UCMJ, Article 136 (b)(4) & (b)(6).

5.1.3. Jurisdiction can generally be described as the power of a court. These criteria include:

5.1.3.1. Subject matter jurisdiction. This is the jurisdiction of the court over the offense. For example, a magistrate court would not have subject matter jurisdiction over an offense of insubordination because it is not an offense prohibited by the federal criminal code or any state or local code that can be assimilated. A court-martial, by contrast, would have subject matter jurisdiction over this offense; as such, conduct is prohibited by the UCMJ.

5.1.3.2. Personal jurisdiction. This is the jurisdiction of the court over the offender or the accused. The personal jurisdiction of a court-martial is status-based. If a person is subject to the UCMJ at the time of the offense and at the time of trial, a court-martial would have personal jurisdiction over the accused.

5.1.3.3. Legislative jurisdiction. Legislative jurisdiction determines the limits of the power of the court with regard to the physical location of a crime or event. In some criminal cases, there may be a question concerning what level of government or sovereign (state, federal [including military]), or Host Nation (HN) has authority over specific personnel or violations. At times, concurrent jurisdiction may be in effect, meaning that multiple governmental authorities may have jurisdiction or exclusive jurisdiction by one governmental authority. The UCMJ is extra-territorial, meaning that it is applicable worldwide to those subject to the UCMJ, Article 2. L&O personnel should consult their servicing SJA concerning jurisdictional matters.

5.1.3.4. Legislative Jurisdiction Types. The types of legislative jurisdiction that apply to military installations and facilities are:

5.1.3.4.1. Exclusive Jurisdiction. As the term implies, this type of legislative jurisdiction gives the federal government sole authority to legislate. The federal government has total or complete jurisdiction of offenses occurring on federal lands. Exclusive jurisdiction gives the federal government the exclusive right to prosecute

offenses occurring therein. If persons commit an offense under the UCMJ, they are tried solely by the military, unless the crime also violates some other federal statute. Generally, the federal government will dispose of all cases involving military personnel for offenses committed in areas of federal exclusive jurisdiction. Civilians who commit offenses in areas of federal exclusive jurisdiction can be prosecuted and/or turned over to civilian federal authorities for disposition of offenses.

5.1.3.4.2. Concurrent Jurisdiction. Both the federal and state governments retain all their legislative authority. If there is a potential conflict regarding exercise of jurisdiction, the federal government prevails under the Supremacy Clause listed in Article VI of the US Constitution. SF should consult their SJA for additional guidance.

5.1.3.4.3. Proprietary Jurisdiction. The military exercises the rights of a property owner only. The only federal laws that apply are those that do not rely upon federal jurisdiction, e.g., espionage, bank robbery, tax fraud, counterfeiting, etc. However, the installation commander can still exclude civilians from the area pursuant to the commander's inherent authority.

5.1.3.4.4. Partial Jurisdiction. Both the federal and state governments have some authority, but neither has exclusive power. For example, a state may have retained criminal jurisdiction over an installation or part of an installation (housing areas, for example).

5.1.4. Martial Law. The term "martial law" means "the temporary military government of a civilian population." Declaring US federal martial law might require the US to exercise jurisdiction over the civilian population. In time of an emergency, military jurisdiction over the civilian population extends beyond the restoration of law and order. It provides relief and rehabilitation of the people, the resumption of industrial production, the re-establishment of the economy and the protection of life and property.

**5.2. Jurisdiction Sources.** There are three sources of military jurisdiction.

5.2.1. US Constitution. The US Constitution established a system of fundamental laws and principles that prescribe the nature, function and limits of our government. Simply said, SF powers are constitutionally founded. The specific provisions of the Constitution relating to military jurisdiction are found in the powers granted to Congress, in the authority vested in the President and in a provision of the Fifth Amendment. This jurisdiction is designed to operate outside of the federal court system. The efficient operation of military law requires a separate judicial system geared to the needs of the military.

5.2.1.1. Article 1, Section 8, authorizes the US Congress to make rules for the government and regulation of the land and naval armed forces. Under this authority, the US Congress enacted the Articles of War and the Articles for the Government of the Navy. The UCMJ was later written for all branches of the US Armed Forces and replaced the early Articles.

5.2.1.2. Article 2, Section 2, provides for the President of the United States (POTUS) to be Commander-in-Chief of the US Armed Forces. Under this authority, the POTUS issues executive orders affecting the US Armed Forces. The UCMJ, Article 36, further

states the POTUS can prescribe RCM procedure. By virtue of his/her authority under the Constitution and the UCMJ, the POTUS, by Executive Order, has prescribed the MCM.

5.2.2. Federal Statutes. The second source of jurisdiction is US federal statutes – laws passed by the US Congress. Most of the statutes that directly affect the USAF are compiled in 10 U.S.C.

5.2.3. International Law. The third source of jurisdiction is international law. Military jurisdiction derived from international law is difficult to precisely define. However, civilized nations have observed certain rules in their relationships with each other.

5.2.3.1. The sources of international law are customs, written agreements among nations and the writings of authorities. The Law of Armed Conflict (LoAC) is also included under international law (e.g., citizens of a foreign nation may be tried by military courts-martial or commission for certain offenses during wartime).

5.2.3.2. The LoAC is derived from agreements between nations in such international gatherings as The Hague and Geneva Conventions. These conventions spell out the conduct of participants in warfare. The purpose of the law is to restore order and to protect both combatants and noncombatants from unnecessary suffering. It defines the rights of prisoners-of-war, the sick and injured, and civilians in occupied territories.

**5.3. Jurisdiction Application.** Jurisdiction applies to persons, places and offenses.

5.3.1. Person. Article 2 of the UCMJ states exactly who is subject to military jurisdiction. Those personnel subject to military jurisdiction with which SF personnel are likely to come into contact include:

5.3.1.1. Members of the regular component of the Armed Forces.

5.3.1.2. Cadets, aviation cadets and midshipmen.

5.3.1.3. Members of the reserve components while on inactive training, but in the case of the Army National Guard or the ANG, only when in federal service.

5.3.1.4. Retired, regular component members of the military entitled to pay.

5.3.1.5. Retired, reserve component members receiving military hospitalization.

5.3.1.6. Members of the fleet reserve and the fleet marine reserve.

5.3.1.7. Persons in Armed Forces custody serving a sentence imposed by a court-martial.

5.3.1.8. Prisoners of war in custody of the Armed Forces.

5.3.1.9. In time of declared war or contingency operation, persons with or accompanying the Armed Forces in the field. However, this is only in time of war or contingency operation and subject to certain limitations.

5.3.1.10. Members of the National Oceanic and Atmospheric Administration, Public Health Service and other organizations, when assigned to and serving with the armed forces.

5.3.1.11. Subject to any treaty or agreement which the US is or may be a party to, or to any accepted rule of international law, persons serving with, employed by or

accompanying the Armed Forces Outside the United States (OCONUS) and the Commonwealth of Puerto Rico, Northern Marianas Islands and the Virgin Islands.

5.3.1.12. Subject to any treaty or agreement which the US is or may be a party to, or to any accepted rule of international law, persons within an area leased by otherwise reserved or acquired for use of the US which is under the control of the Secretary concerned and which is OCONUS and outside the Canal Zone, the Commonwealth of Puerto Rico, Guam and the Virgin Islands.

5.3.2. Place. Article 5 of the UCMJ states that the Code applies in all places and there is no restriction on where the case may be heard. The military has jurisdiction to prosecute any offense committed on or off base.

5.3.3. Offenses. The last element is that the offense be subject to the jurisdiction of courts-martial. However, in determining whether subject-matter jurisdiction exists, it is necessary to look at the service member's status at the time the offense is committed. If the service member is lacking a military status at the time of the offense, there is no jurisdiction over that offense, regardless of whether the offense violates any UCMJ article.

**5.4. Security Forces Authority.** MCM Rule 302 and UCMJ Article 7(b) grants SF the authority to apprehend any person subject to trial by courts-martial upon probable cause if the SF member is executing security/law enforcement duties. SF has four authorities: to detain, apprehend, report and correct.

5.4.1. Detain. Detaining or detention is a term used for dealing with civilians or other personnel not subject to Article 2 of the UCMJ.

5.4.2. Apprehend. Apprehension is the equivalent of “arrest” in civilian terminology. It means taking a person into custody. The same rules apply to detentions and apprehensions. For example, if a person on base wearing civilian clothes violates the UCMJ, and/or federal and state laws, detain and verify their status. If the detainee is a military member, and it is appropriate, apprehend.

5.4.3. Report. SF members’ responsibility to report includes a requirement to prepare or present an official detailed account of violations of the UCMJ to the proper authorities.

5.4.4. Correct. SF have the authority to correct, caution or warn offenders for minor infractions of laws and regulations. However, SF does not have authority to punish an offender, so they must use caution that their action does not constitute an admonition or reprimand.

5.4.5. Federal Law. SF also has the authority to enforce other aspects of federal law not covered by the UCMJ.

5.4.5.1. The Military Extraterritorial Jurisdiction Act authorizes prosecution of certain criminal offenses committed by certain members of the armed forces and by persons employed by or accompanying the armed forces outside the United States. Under the Military Extraterritorial Jurisdiction Act, offenses punishable by confinement of more than 1 year if committed in the United States, are applicable to personnel who engage in the same conduct outside the United States. These individuals are subject to trial by the federal government if the crime is a felony, the HN fails to prosecute and the US attorney believes prosecution is warranted (see 18 U.S.C. § 3261, 3262, 3263, 3264, 3265, 3266

and 3267). Department of Defense Instruction (DoDI) 5525.11, *Criminal Jurisdiction Over Civilians Employed by or Accompanying the Armed Forces Outside the United States, Certain Service Members and Former Service Members,* provides implementing procedures for the Military Extraterritorial Jurisdiction Act.

5.4.5.2. The Internal Security Act of 1950. 50 U.S.C. §797 (Section 21 of the Internal Security Act of 1950) authorizes the Secretary of Defense to designate military commanders to promulgate orders and regulations to protect property and places under their command. DoDI 5200.08, *Security of DoD Installations and Resources and the DoD Physical Security Review Board (PSRB),* designates military commanders of the AF and other branches as having the authority to issue orders and regulations pursuant to the Act. Additionally, the Act makes it a misdemeanor to violate any order or regulation issued pursuant to the Act. The act applies to both military members and civilians.

5.4.5.3. Assimilative Crimes Act. The Federal Assimilated Crimes Act allows for adoption of state law in the absence of applicable federal law, e.g., many traffic offenses. This Act is not limited to traffic offenses. The Federal Assimilative Crimes Act (18 U.S.C. § 13) is an adoption by Congress of state criminal laws for areas of exclusive or concurrent federal jurisdiction, provided federal criminal law, including the UCMJ, has not defined an applicable offense for the misconduct committed. The Act applies to state laws validly existing at the time of the offense without regard to when these laws were enacted, whether before or after passage of the Act and whether before or after the acquisition of the land where the offense was committed. AFI 31-218(I), *Motor Vehicle Traffic Supervision,* has further information on the assimilation of traffic laws. The rules for execution of investigative jurisdiction between AFOSI and SF still apply.

5.4.5.4. Posse Comitatus Act. The Congress of the US enacted this law in 1878 to restrict the use of the Army to enforce civilian law (18, U.S.C. § 1385). See also 10 U.S.C. § 375.

5.4.5.4.1. This Act prevents Army and Air Force personnel from executing the laws of the states or the laws of the US except when acting under the authority of the US Constitution, an Act of Congress or under the direction of the POTUS. Posse Comitatus governs the use of Army and Air Force personnel only within the Continental United States (CONUS). The Navy and Marine Corps follow the Act by DoD policy. The Act does not apply to ANG performing in Title 32 status under the command of a State governor.

5.4.5.4.2. The Posse Comitatus Act does not prevent:

5.4.5.4.2.1. Military authorities from taking action on incidents involving civilians when such action involves a specific military purpose.

5.4.5.4.2.2. A military member acting in an unofficial capacity to make a citizen's arrest or to take other action to preserve the public peace.

5.4.5.4.2.3. SF from using force to stop a fleeing felon or suspected felon for the purpose of aiding civilian law enforcement.

5.4.5.4.2.4. Actions in the performance of duties employed off-duty as a security guard or police officer (i.e., SF members with second jobs).

5.4.5.5. 18 U.S.C. § 1382. Prohibits individuals from entering military installations within the jurisdiction of the United States for a purpose prohibited by law or lawful regulation or reentering an installation after being ordered not to reenter by any officer in command of the installation.

**5.5. Probable Cause/Reasonable Belief.** Probable cause to apprehend exists when there is a reasonable belief that an offense has been or is being committed and the person to be apprehended committed or is committing it. Reasonable belief means that there is reliable information that a reasonable, prudent person would rely on, which makes it more likely than not that something is true. Reasonable beliefs are also a logical and rational evaluation of the circumstances of an offense and of the suspect's connection with the offense. Apprehend or detain any suspect, military or civilian, whom there is probable cause to believe has committed a violation of the UCMJ (Military) or U.S.C. (Civilian) equivalent. A Probable Cause statement may be captured on the AF Form 1176, *Authority to Search and Seize*, or on bond paper and attached to report. SF members can establish reasonable belief through one of the following:

5.5.1. The SF member actually sees the person commit the crime.

5.5.2. The SF member gets the description of a person or vehicle from another SF member. For example, if the SF controller directs that a particular person be apprehended or detained for assault on another person, the SF member now has reasonable belief.

5.5.3. The SF member receives a statement by a reliable person. SF members must use their judgment and/or past experience to determine the validity of this information. Be sure of sources before action is taken.

5.5.4. A superior in the SF member's CoC orders an apprehension. Remember, all NCOs and commissioned officers have the authority to apprehend anyone violating any section of the UCMJ.

5.5.5. Complainant or victim identifies the alleged perpetrator.

**5.6. Deputization of Air Force Law Enforcement Personnel by State and Local Governments.** The Secretary of the Air Force (SECAF) is the approval authority for the deputization by state and local governments of uniformed law enforcement personnel under the authority of the USAF, including SF, DAF CP/SG and contract guards.

5.6.1. If state or local deputization is needed, the senior installation law enforcement official will prepare the request. The request will be based upon the justification guidelines established in DoDI 5525.13, *Limitation of Authority to Deputize DoD Uniformed Law Enforcement Personnel by State and Local Governments*, and will include (T-0):

5.6.1.1. The number of uniformed law enforcement personnel to be granted the authority and a certification that they have received the requisite training to affect the type of deputization.

5.6.1.2. The time frame envisioned for the authority to be exercised. Blanket time authorizations will not be considered.

5.6.1.3. The policies and procedures to prevent misuse of the authority to be employed by the requesting installation law enforcement official.

5.6.1.4. A copy of the proposed Memorandum of Understanding (MOU) with the state or local jurisdiction that will carry out the deputization, to include the signature of the appropriate official representing that state or local jurisdiction.

5.6.2. Requests for approval will follow the appropriate CoC to the SECAF for approval. As a minimum, requests will be coordinated through the following:

5.6.2.1. Installation Commander

5.6.2.2. MAJCOM/A7S

5.6.2.3. AFSFC.

5.6.2.4. AF/A7S

5.6.2.5. AF/JA

5.6.2.6. SAF/GC

5.6.2.7. SAF/IG

5.6.3. The SECAF will consider the request and return a decision through appropriate channels.

**5.7. Off-duty employment as civilian police officers.** Off-duty SF enlisted members may serve as members of a civilian police agency, either as a regular or reserve duty police officer, provided such service is in their personal capabilities, does not require the exercise of military authority and does not interfere with their military duties. Subject to the same restrictions, commissioned officers may engage in off-duty employment, provided they do not violate the civil office restriction found in 10 U.S.C. § 973. The restriction provides that regular, guard and reserve commissioned officers or retired officers called to active duty for more than 270 days, may not accept off-duty employment as a federal, state or local civilian law enforcement official in any position which qualifies as a "civil office." Guidance on what constitutes a civil office within the meaning of 10 U.S.C. § 973 is contained in AFI 51-902, *Political Activities by Members of the US Air Force.* All off-duty employment of SF personnel (officer and enlisted) is subject to approval of their commander and must be coordinated with the SJA. (T-3)

**5.8. Support to the US Secret Service (USSS) and US Department of State (DoS).** Refer requests for assistance from other federal agencies to Air Force Office of Special Investigations (AFOSI). When appropriately tasked to assist, SF will support the USSS in the protection of the President and Vice President of the United States, major political candidates and visiting foreign heads of state. When assigned to such duty, Security Forces are subject to the overall supervision of the Director, USSS, or Director of Diplomatic Security, as appropriate. If working under the support of AFOSI for protective services, SF will work under the supervision of the AFOSI Protective Detail Leader. Reference DoDI 3025.19, *Procedures for Sharing Information with and Providing Support to the US Secret Service (USSS), Department of Homeland Security (DHS),* for additional details.(T-0)

## Chapter 6

## APPREHENSION, DETENTION AND CUSTODY

**6.1. Apprehension Considerations.** Immediately upon apprehending a suspect, handcuff and conduct a search of the suspect and the area under their immediate control for weapons and any evidence the suspect could remove or destroy. This emphasizes the safety of SF members and the apprehended individual. During incidents in which a subject is detained but not under apprehension, if there is reasonable suspicion to believe the subject may possess a weapon, as a minimum, conduct a protective frisk for weapons.

6.1.1. When to Apprehend: Apprehensions are based upon probable cause, which means there are reasonable grounds to believe that an offense has been or is being committed and the person to be apprehended committed or is committing it. If the facts and circumstances reasonably indicate a person committed or is committing an offense, then apprehension is justified.

6.1.1.1. By Observation. SF member observes the actual offense. Disorderly conduct and traffic violations are common examples. Planned offenses usually are not committed while SF are in the area. When SF members observe an offense that requires apprehension, they must act immediately.

6.1.1.2. By Report. Many complaints are received at the BDOC by telephone or in person. A patrol may be dispatched to investigate and make necessary apprehensions or the complaint may be referred to SF Investigations (S2I), depending upon the need for immediate action.

6.1.2. Approach. Two factors responders need to keep in mind when approaching a suspect to affect an apprehension are position and attitude.

6.1.2.1. Position. When approaching a suspect, move toward the person from a direction most advantageous to the SF member. When addressing a suspect, the individual naturally tends to face the person speaking. If the SF member plans to question the person or check identification, ensure to maintain a proper reactionary gap. The assisting patrolman must take a position of advantage.

6.1.2.2. Attitude. A smooth, courteous and efficient approach with a firm, but friendly, conversational tone may calm all but the most violent offenders.

6.1.3. Evaluation. SF must evaluate the attitude and physical condition of a suspect before deciding on a course of action.

6.1.3.1. Attitude of Suspect. SF will maintain situational awareness and a reactionary gap even when a suspect has a cooperative attitude. Keep alert and be ready to employ counter measures in the event the situation becomes hostile.

6.1.3.2. Physical Condition. SF will request medical attention for any injury sustained by a suspect. An apparent minor injury could be serious and immediate medical attention can prevent serious injury or death. (T-1)

**6.2. Apprehension on Military Installations.** On duty SF personnel performing official police or guard duties have the authority to apprehend any person subject to the UCMJ, regardless of

rank. SF personnel may apprehend any person subject to the UCMJ if they have probable cause/reasonable belief to believe an offense has been or is being committed and the person being apprehended committed or is committing the offense.

6.2.1. The DFC, with the advice of the SJA, will establish local procedures for handling civilian offenders. (T-1)

6.2.1.1. Civilians may be detained for offenses committed on a military installation. Since civilians are not normally subject to the UCMJ, refer civilian violators to a US Magistrate for judicial disposition or to the local civil authorities having jurisdiction.

6.2.1.2. For minor offenses, release civilian offenders to their military sponsor. If they do not have a military sponsor, release them to a relative, friend or on their own recognizance.

6.2.2. IAW AFI 51-201, *Administration of Military Justice*, the installation commander or appointed magistrate must authorize apprehensions of military personnel in on-base private dwellings. The rule applies if the subject is in the subject's quarters or someone else's. Obtain authorization to apprehend on an AF Form 3226, *Authority to Apprehend in Private Dwelling*. **NOTE:** This procedure is not required during emergencies to save a person's life or prevent serious bodily harm (e.g., gunfire or screaming being heard from outside quarters). (T-0)

**6.3. Off Installation Patrols.**

6.3.1. SF performing patrol duties off the installation have the authority to apprehend military personnel, subject to probable cause requirements and the rules governing apprehensions in a private dwelling. Off installation patrols must use civilian law enforcement officials to identify all suspected military violators in civilian clothing if possible. Develop policies and procedures for patrol activity conducted off the installation in consultation with local law enforcement officials and SJA. (T-0)

6.3.2. OCONUS. The installation commander may authorize off installation patrols. Coordinate with the MAJCOM SJA before authorizing off installation patrols. SF maintains the authority to apprehend military personnel on or off the installation in an OCONUS environment in accordance with Status of Forces Agreement (SOFA) or host nation agreements. The authority to detain civilians on a US military installation varies in each host nation. Bilateral agreements and directives must specify such limitations. (T-0)

**6.4. Custody.** Custody is the restraint of free movement. An apprehension occurs when an SF member clearly notifies a suspect they are under apprehension. This notice should be given orally or in writing, but it may be implied by the circumstances. Once apprehended and in custody, the apprehending officer must control the movements of the offender. Protect the health and welfare of all apprehended suspects.

**6.5. Rights Advisement.** Prior to asking questions related to the offense under investigation, advise suspects of their right against self-incrimination IAW the UCMJ, Article 31, for active duty military personnel. For civilian personnel, advise suspects of their right against self-incrimination IAW the US Constitution, Fifth Amendment, if conducting a custodial interrogation. Use the AFVA 31-231, *Advisement of Rights*, for verbal advisement (usually on-scene), or the AF Form 1168, *Statement of Suspect/Witness/Complainant*, for written proof of

rights advisement (usually prior to taking a written statement). If possible provide the Advisement of Rights in front of a witness. Questions concerning a suspect's identity, address, status, health, welfare or questions not related to the offense under investigation do not require a rights advisement. For further guidance on rights advisement, see Chapter 10 of this instruction.

6.5.1. Suspects on verified active orders (i.e., active ANG personnel while on Title 10/federal orders, and AFRC personnel while serving in an active duty positions) will be advised of their rights IAW the UCMJ, Article 31. **NOTE:** Contact local SJA when duty status is in question.

6.5.2. Spontaneous Utterances. Situations will arise when an individual contacted by SF personnel will voluntarily make an incriminating statement. A common example occurs when a suspect, upon initially being contacted and informed of the purpose of the contact, offers a voluntary statement prior to the administration of any rights advisement. Another example is the statement made by a suspect after being detained while being transported in a government vehicle. Spontaneous utterances are generally admissible in courts-martial. No follow-up questions to the utterance can be conducted until a proper rights advisement has been made.

**6.6. Use of Force.** Use of Force will be conducted IAW AFI 31-117 during apprehension and detention of suspects. In overseas or deployed areas, comply with local SOFA and Rules of Engagement (ROE) mandated by the installation commander. Always use the reasonable amount of force necessary when placing a suspect under apprehension. Use NLWs and handcuffs only when specifically trained in their use. Unit Standard Operating Procedures (SOPs) and Tactics, Techniques and Procedures (TTPs) may require adjustments to enable employment of NLWs and new equipment for the success of specific missions. In addition, SF must strictly adhere to procedures outlined in AFMAN 31-222 when handcuffing, employing NLWs, searching or transporting apprehended or detained personnel.

**6.7. Disposition of Apprehended or Detained Persons Vehicle and/or Property.** Installation DFCs, in conjunction with the SJA, will develop comprehensive procedures to inventory vehicles and/or property seized incident to an apprehension IAW AFI 31-218 (I). A complete accountability will be conducted of the vehicle and/or property found in the vehicle to include items contained within. Document in detail all property on an AF Form 52, *Evidence Tag*. For evidence of the offense for which the subject was apprehended or contraband found during the inventory, refer to C**hapter 8** of this instruction. (T-1)

**6.8. Disposition of Civilian Offenders and the US Magistrate Court.** The installation commander's inherent authority to protect the installation permits SF, as agents of the installation commander, the authority to detain civilians for offenses occurring on the installation. SF personnel can detain civilians for a reasonable period of time sufficient to investigate the incident before turning them over to an appropriate civilian law enforcement authority IAW DoDI 5200.08; AFI 51-905, *Use of Magistrate Judges for Trial of Misdemeanors Committed by Civilians;* 18 U.S.C. § 1382; and 50 U.S.C. § 797. CONUS installations with exclusive or concurrent jurisdiction may hold offenders for a reasonable timeframe to issue citations for the violation of misdemeanor offenses. DFCs will work with installation commanders to have MOUs/memorandums of agreement (MOAs) with local law enforcement (state, county and city) and/or other legal authorities to clearly define the role of SF in situations regarding the enforcement of assimilated laws, the issuance of citations and the disposition of

offenders. Additionally, DFCs will ensure the defined legal authorities, jurisdiction and role of SF are articulated in local operating instructions. (T-1)

6.8.1. The US Magistrate federal court system is a venue enabling the enforcement of misdemeanor laws on installations. US magistrates "shall have jurisdiction to try persons accused of, and sentence persons convicted of, misdemeanors" (18 U.S.C. § 3401[a]). The US Magistrate is a federal judge designated to try misdemeanors committed on federal property. The US Magistrate Court also has jurisdiction over juveniles who commit on-installation misdemeanors (18 U.S.C. § 3401[a]). Cases most frequently tried include larceny, assault and traffic offenses. Since the jurisdiction of the court is limited to the trial of misdemeanor cases, it may not impose a sentence of imprisonment in excess of 1 year. The US Magistrate will generally have jurisdiction for on-installation misdemeanors, committed by civilians and military. An attorney from the office of the SJA may prosecute a case as a special assistant US attorney. The US Magistrate has jurisdiction to try persons accused of, and sentence persons convicted of, misdemeanors. **NOTE:** For the purposes of this instruction, a "juvenile"' is a person who has not attained his or her eighteenth birthday unless the individual is an Active Duty Service member.

6.8.2. Offenders are cited to appear in US Magistrate court by the issuance of a US district court violation notice. Some offenses allow payments by mail, while others require a court appearance. The trial of a juvenile may necessitate a certification by the US attorney (18 U.S.C. § 5032). This certification will require coordination between the SJA and the appropriate civilian authorities.

6.8.3. The prosecution of a criminal charge is determined by the court or courts with jurisdiction over the case. Types of prosecutors include:

6.8.3.1. Military (trial counsel).

6.8.3.2. State (district, state, prosecuting and circuit attorneys).

6.8.3.3. Federal (attorney general, US attorney and special assistant US attorney).

6.8.3.4. Host Nation (HN) (HN attorney, based upon the system and court structure of the HN).

6.8.4. The four types of law enforcement (LE) include:

6.8.4.1. State (city, county and state).

6.8.4.2. Federal (Federal Bureau of Investigations [FBI]; Bureau of Alcohol, Tobacco, and Firearms [ATF]; US Marshals; and all other federal LE activities and agencies, to include Defense Criminal Investigative Organizations [DCIO], United States Army Criminal Investigation Division [USACID], AFOSI and Naval Criminal Investigative Service [NCIS]).

6.8.4.3. Military Police (including Security Forces and Master-at-Arms).

6.8.4.4. HN (LE organizations within the HN criminal justice system).

6.8.5. When a crime occurs that is punishable by military and civilian courts, the supporting SJA must coordinate to determine where the accused will be tried. In many situations, memorandums of understanding with state or local authorities or SOFAs with HNs will outline who has primary jurisdiction in specific cases or circumstances. The US Magistrate

will generally have jurisdiction of on-installation misdemeanors committed on an installation with federal (exclusive or concurrent) jurisdiction. A US Magistrate does not have jurisdiction over offenses committed on an installation with proprietary jurisdiction.

6.8.6. **Juvenile Offenders.** Disposition procedures of juvenile offenders:

6.8.6.1. Contact and brief the SJA any time a juvenile is detained for a violation.

6.8.6.2. For Minor Traffic Violations, process juveniles the same as adult offenders.

6.8.6.3. When juveniles are involved in incidents violating the law (i.e., driving under the influence, vandalism, disorderly conduct, larceny, assault with injury, etc.) comply with the following procedures:

6.8.6.4. Detention of juveniles. If necessary, conduct a search for evidence or weapons in the presence of the juvenile's sponsor or an additional SF member. Transport the offender to BDOC if warranted. A minimum of two SF members will transport all juveniles. Preferably have at least one SF member of the same sex as the offender. Annotate starting and ending mileage in the AF Form 53. (T-3)

6.8.6.5. SF will not interview juveniles until at least one parent or guardian is present. If the parent or guardian refuses or declines to be present, cannot respond in a timely manner or cannot be reached, an additional SF member or the sponsor's First Sergeant will be present during the interview. (T-1)

6.8.6.6. Both the parent or guardian and the juvenile will be advised of the juvenile's rights IAW 5th Amendment, US Constitution. Document rights advisement via AF Form 1168. The juvenile and/or parent or guardian acknowledges their rights by initialing and signing the AF Form 1168. Check with the servicing legal office for applicable local laws. (T-0)

6.8.6.7. Terminate the interview if the parent, guardian or juvenile request legal counsel.

6.8.6.8. Juveniles **<u>will not</u>** be cited via DD Form 1805.(T-0) Complete an incident report detailing the offense. The report will be forwarded to the installation commander or designated representative for action. (T-1)

6.8.6.8.1. SF will release juveniles to their parent or guardian via DD Form 2708, *Receipt for Inmate or Detained Persons*. If a major offense is involved (rape, armed robbery), the initial interview is deferred to AFOSI or other appropriate authorities maintaining jurisdiction. In cases where the offense or condition of the offender is serious enough to warrant detention, the juvenile will be released to civil authorities. If the parent or guardian cannot be reached or is unavailable, release the juvenile to the appropriate First Sergeant or Commander. (T-1)

6.8.6.9. Installations will develop procedures for handling and disposition of juveniles who are involved in incidents violating "misdemeanor" level laws (i.e., driving under the influence, vandalism, disorderly conduct, larceny, assault with injury, etc.). (T-1)

6.8.6.9.1. **(Added-ELLSWORTH)** The Installation Commander has established an Installation Juvenile Corrections Program (IJCP) designed to rehabilitate

juvenile offenders and maintain good order and discipline on the installation. This program functions through the operation of a Juvenile Corrections Board (JCB). The 28th Security Forces Squadron Commander (28 SFS/CC), upon analysis of a particular juvenile's contact with law enforcement or history of misconduct on the installation, will recommend to the 28th Mission Support Group Deputy Commander (28 MSG/CD) when a JCB should be convened. Juvenile misconduct that involves incidents violating "misdemeanor" level laws (i.e., driving under the influence, vandalism, disorderly conduct, larceny, assault with injury, etc.) shall be brought before the JCB. These proceedings are closed to the public.

6.8.6.9.1.1. **(Added-ELLSWORTH)** The sponsor's participation in the program is mandatory. Failure to participate in the program may result in termination of the sponsor's privilege to reside in government quarters and depending on the seriousness of the incident, could also result in the dependent in question being debarred from the installation.

6.8.6.9.1.2. **(Added-ELLSWORTH)** Responsibilities under the IJCP:

6.8.6.9.1.2.1. **(Added-ELLSWORTH)** The 28th Bomb Wing Commander (28 BW/CC) is responsible for ensuring good order and discipline on Ellsworth Air Force Base (EAFB). He/she is the Commander for Administrative Disposition of all debarment actions and has delegated the authority for all non-debarment actions to the 28th Mission Support Group Commander (28 MSG/CC) and his/her deputies (28 MSG/CD). The 28 MSG/CD will be the Juvenile Corrections Officer (JCO) to hear matters of juvenile misconduct and to recommend administrative disposition.

6.8.6.9.1.2.2. **(Added-ELLSWORTH)** The 28 MSG/CC is the Commander for Administrative Disposition of all cases, except where debarment of the juvenile is recommended. If debarment is recommended by the JCO, Administrative Disposition of the case must be forwarded to the 28 BW/CC for approval.

6.8.6.9.1.2.3. **(Added-ELLSWORTH)** The 28th Bomb Wing Staff Judge Advocate will advise the JCB on all legal matters and be present for hearings.

6.8.6.9.1.2.4. **(Added-ELLSWORTH)** The 28 SFS/CC designates 28th Security Forces Squadron Reports and Analysis (28 SFS/S5R) as the administrative representative to the JCB.

6.8.6.9.1.2.5. **(Added-ELLSWORTH)** Parents, guardians, and sponsors have primary responsibility for the conduct of their juvenile dependents, and for ensuring compliance with all applicable state laws and installation policy.

6.8.6.9.1.3. **(Added-ELLSWORTH)** The JCB, consisting of a JCO and advisors will convene at the discretion of the JCO. The 28 SFS/CC will recommend to the JCO when cases should be heard. The JCB advisors include Family Advocacy, 28th Security Forces Squadron Operations (28

SFS/S3), a representative from the sponsor's chain of command (supervisor, First Sergeant, or Commander), and any other functional areas required due to the nature of the offense or at the desire of the JCO.

6.8.6.9.1.4. **(Added-ELLSWORTH)** Reports of juvenile misconduct will be reviewed by the 28 SFS/CC, who will recommend to the JCO which cases should be heard. If the JCO determines it is necessary to convene a JCB, the administrative representative will schedule a hearing. The administrative representative will ensure the JCO and each advisor has a copy of the case for the upcoming JCB. This will allow the JCB to have an opportunity to review the case and prepare for the hearing. Upon completion of the JCB, the administrative representative will retrieve all copies of reports for proper disposition or destruction.

6.8.6.9.1.5. **(Added-ELLSWORTH)** The administrative representative will notify the JCB of the date, time, and place of the JCB proceedings. Additionally, the military sponsor's Commander or First Sergeant will be notified of the time, date and location of the JCB proceedings. See sample JCB participation memorandum in Attachment 16. Letters will remain on file with 28 SFS/S-5R, IAW Air Force Manual (AFMAN) 33-363, *Management of Records.*

6.8.6.9.1.6. **(Added-ELLSWORTH)** The Commander or First Sergeant is responsible for notifying the sponsor of the date, time, and location of the JCB. If the juvenile is enrolled in school, effort should be made to avoid normal school hours for the hearing time. The Commander or First Sergeant is also responsible for advising the military sponsor that participation by the sponsor is mandatory. While participation cannot be made mandatory for the civilian juvenile dependent, failure of the dependent to participate may result in termination of military family housing privileges. The sponsor will also be notified that the dependent could be debarred from the installation if he or she does not participate.

6.8.6.9.1.7. **(Added-ELLSWORTH)** At least one Security Forces member who participated in the investigation of the incident is required to appear at the JCB proceedings.

6.8.6.9.1.8. **(Added-ELLSWORTH)** The uniform for the JCB hearing is Service Dress, unless alternate uniform is mandated by the JCO. The 28th Bomb Wing Legal Office Courtroom is the preferred location of the hearing unless alternate location is mandated by the JCO due to the circumstances of the cases to be heard.

6.8.6.9.1.9. **(Added-ELLSWORTH)** Once the JCB has convened, the administrative representative will present the juvenile and sponsor(s) to the board. The JCO will introduce himself/herself and explain to the juvenile and sponsor(s) the purpose of the meeting. The emphasis should be on "the way ahead" for disposition of the incident, not a litigation of the facts of the incident. The JCO will then conduct the board in a manner that includes, at a minimum, the following:

6.8.6.9.1.9.1. **(Added-ELLSWORTH)** Statement from 28 SFS regarding the misconduct/incident to include details of the juvenile's actions, and injuries or property damage, and any corrective action already taken (such as receiving a traffic citation.)

6.8.6.9.1.9.2. **(Added-ELLSWORTH)** If there is any physical evidence or documents to be shown that relate to the misconduct/incident, the JCB, along with the sponsor and unit representative, will have the chance to review such. If copies of documents are given to the JCB, copies must also be given to the sponsor.

6.8.6.9.1.9.3. **(Added-ELLSWORTH)** Statement from the juvenile and/or sponsor if they so choose. The statement may be either oral or in writing.

6.8.6.9.1.9.4. **(Added-ELLSWORTH)** After the juvenile and sponsor have had an opportunity to present information to the JCB, the JCO may enter into a discussion with the juvenile and sponsor.

6.8.6.9.1.9.5. **(Added-ELLSWORTH)** Following any discussion, the JCO recommends administrative disposition. Since the JCB proceedings are not a court of law, the JCO may only use a "preponderance of the evidence" as a standard. A preponderance of the evidence is the greater weight of credible evidence; in other words, evidence which as a whole shows that a fact is more likely than not to be true.

6.8.6.9.1.10. **(Added-ELLSWORTH)** The administrative representative documents the recommended actions of the JCO, forwards them to the 28 BW/CC or 28 MSG/CC, as appropriate, who will approve or deny the recommendations. If the recommendations are rejected, the JCB will reconvene to discuss alternative recommendations, if necessary. Once the recommended action is approved, the administrative representative will have five duty days to attach the original document to the original case file and provide a copy to the juvenile's sponsor. No independent system of records will be generated or kept by the JCB.

6.8.6.9.1.11. **(Added-ELLSWORTH)** It is ultimately the responsibility of the military sponsor to ensure the actions recommended by the JCB and approved by the appropriate commander are carried out. Unit Commanders and First Sergeants are responsible for monitoring all approved actions. In the event the JCB recommended actions are not carried out, the board will convene to discuss a way forward.

6.8.6.9.1.12. **(Added-ELLSWORTH)** JCB corrective actions include, but are not limited to, the following:

6.8.6.9.1.12.1. **(Added-ELLSWORTH)** Oral counseling or reprimand of the juvenile.

6.8.6.9.1.12.2. **(Added-ELLSWORTH)** Written reprimand of the juvenile.

6.8.6.9.1.12.3. **(Added-ELLSWORTH)** Written and/or verbal apology

from the juvenile to the victim.

6.8.6.9.1.12.4. **(Added-ELLSWORTH)** Referral of the juvenile and sponsor to the 28 MDOS/SGOW or other agency for initial assessment, treatment or counseling.

6.8.6.9.1.12.5. **(Added-ELLSWORTH)** The imposition of a curfew.

6.8.6.9.1.12.6. **(Added-ELLSWORTH)** The recommendation of a certain number of community service hours to be completed by the juvenile. In the event the JCO assigns community service, the sponsor will determine where/when, and record the dates/times community service was accomplished.

6.8.6.9.1.12.7. **(Added-ELLSWORTH)** Voluntary monetary restitution.

6.8.6.9.1.12.8. **(Added-ELLSWORTH)** Debarment from installation facilities or areas for a specified period of time.

6.8.6.9.1.12.9. **(Added-ELLSWORTH)** Debarment from the installation.

6.8.6.10. Complete a blotter entry and incident report if necessary.

**6.9. Victim/Witness Assistance Program (VWAP).** According to DoDD 1030.01, *Victim and Witness Assistance*, and DoDI 1030.2, *Victim and Witness Assistance Procedures*, identification of victims and witnesses is the responsibility of the agency that investigates the crime (e.g., SF). The term "*investigates*" also applies to first responders. These two DoD publications and AFI 51-201provide guidance on the implementation of these programs in the USAF.

6.9.1. Scope. VWAP applies to all cases in which criminal conduct adversely affects victims or in which witnesses provide information regarding criminal activity. Pay special attention to victims of violent crime, but ensure all victims and witnesses of crime who suffer physical, financial or emotional trauma receive the assistance to which they are entitled.

6.9.2. SF Role in VWAP. SF members are critical members of a multi-disciplinary team. As first responders and SF investigators/detectives, SF members contribute to the success of other team members (e.g., AFOSI, SJA, Chaplains) who follow during resolution of the incident.

6.9.3. SF Goals in VWAP. SF goals are more far-reaching than effective first response. They are:

6.9.3.1. Immediate and permanent termination of the harmful act(s).

6.9.3.2. Favorable resolution of the incident. Incidents are considered favorably resolved when offenders have been identified and held accountable, and the victim has been referred to the appropriate agencies for assistance in recovering from the incident.

6.9.3.3. Recovery of the victim. Complete recovery from an incident is largely dependent upon a victim's willingness to participate in the recovery process. SF will inform the victim of the resources available to assist in recovery. (T-1)

6.9.4. Providing Information. Every SF member on-duty must carry a supply of DD Forms 2701, *Initial Information for Victims and Witnesses of Crime.* Distribute the DD Form 2701 to any person meeting the requirements of paragraph 6.10.1. When in doubt as to whether a

person meets the requirements to be issued a DD Form 2701, issue the form. Annotate on the AF Form 3545A whenever a DD Form 2701 is issued. If an AF Form 3545A is not completed, the AF Form 53 must reflect a DD Form 2701 was issued. In addition to the pre-mentioned guidance, SF and SJA may develop local procedures to track DD Forms 2701. (T-1)

6.9.4.1. Provide all victims with reasonable ideas for protection. Examples of reasonable ideas for protection would be properly securing homes, work places and property. For victims of domestic violence or abuse, staying with family members or friends would be an example of a reasonable idea for protection.

6.9.4.2. Brief all victims and witnesses on the four phases of the judicial process (response, investigation, prosecution and confinement) and provide them with information on what may be expected from them during each phase. (T-1)

6.9.4.3. VWAP training requirements are covered in AFI 51-201.

6.9.5. If in the course of an investigation, either a victim or witness is threatened, S2I will advise the local AFOSI field unit commander or Special Agent in Charge (SAIC) and together they will assess if specific protective actions are necessary. If so, AFOSI will assist and coordinate with appropriate local, state or federal law enforcement authorities to take action IAW AFI 36-2110, *Assignments*, to mitigate the threat. SF must also notify the SJA when they identify a victim. This allows the SJA to administer the victim/witness assistance process. (T-1)

6.9.6. Units must "flag" incident reports to indicate it is a "victim/witness" case. Adding a prefix or suffix to the case number aids in the SJA auditing process of victim/witness cases. (T-3)

6.9.7. Per DoDI 6495.02, Sexual Assault Prevention and Response Program Procedures, all SF personnel are required to complete initial and periodic recurring training concerning response to sexual assault incidents. This training will be completed annually and be documented on AF Form 1098, Special Task Certification and Recurring Training, in the individual training record using the Air Force Training Record (AFTR) system. AFSFC has created a standardized Sexual Assault Prevention and Response for First Responders (SAPR-LE) Computer Based Training module. This training is located in the Security Forces Center of Training Excellence website, **https://sf-cte.csd.disa.mil**. **(T-1)**

**6.10. Pre-trial Confinement.** Under normal situations, pre-trial detainees will be detained locally. Pre-trial detainees are confined IAW Rules for Courts-Martial, 304-308, and Article 13, UCMJ, and are confined if they specifically meet the criteria outlined in RCM, Rule 305 (h) (2) (B). Refer to AFI 31-205, *The Air Force Corrections System*, for further information.

**6.11. Holding and Detention Cells.** Holding and detention facilities support law enforcement operations. Refer to AFI 31-205 for further information.

## Chapter 7

## SEARCHES

**7.1. Jurisdictional Authority to Search.** SF may conduct searches on-base or off-base whether CONUS or OCONUS. SF must ensure they adhere to local laws and policies as well as policy established within this document and military/federal law when conducting any search CONUS or OCONUS. Procedures for searches conducted in privatized housing will be established at the local level IAW local and state laws. (T-1)

7.1.1. Search authorization. A search authorization is an express permission, written or oral, issued by competent military authority to search a person or an area for specific property, evidence or for a specific person and to seize such property, evidence or person. Search authorizations are based upon probable cause and describe the person, place or thing to be searched and specific objects being sought. When practical, a search authorization (without the affidavit) should be shown to the concerned parties at the scene. An SF member should always attempt to obtain a search authorization. A search authorization will be completed via AF Form 1176, *Authority to Search and Seize*. An AF Form 1176 should be completed before the search. A verbal authorization may be sought in exceptional cases in which preparing the AF Form 1176 with affidavit is impractical or during exigent circumstances in where the delay could result in the loss or destruction of evidence. In these cases, the AF Form 1176 with affidavit must be completed as soon as possible following the execution of the search. (T-1)

7.1.1.1. Search Affidavit. A search affidavit is a statement of "Probable Cause" supporting the request for authorization to search and seize. This affidavit must be completed by the person requesting search authority and if presented telephonically must be read word-for-word to an SJA from the servicing legal office. After coordinating with the SJA, the affidavit is (if presented telephonically) read word-for-word to the military magistrate or commander with the authority to authorize the search. This will ensure each party was given identical information. The best practice is for the request to be completed face-to-face (both for SJA coordination and magistrate request), in which case the magistrate can read the AF Form 1176 and affidavit. In cases where requests are presented over the telephone, it should be done through a conference call. In cases where time is critical (i.e., to prevent loss of evidence), the person requesting the search authority may orally relay the probable cause information and complete the AF Form 1176 and affidavit as soon as possible. The affidavit must still contain the same information which was relayed to the SJA and the military magistrate or authorizing commander. (T-1)

7.1.1.2. On-Base Search Authority. Although squadron commanders may authorize a search within their squadron areas, the common practice is to get search authority from the installation commander or military magistrate. The installation commander or military magistrate can order a search within any area of the base. Searches OCONUS are conducted in the same manner.

7.1.2. Search Warrant. A search warrant is an express written permission to search and seize personnel or property issued by competent civilian authority. Because search authorizations

and search warrants refer to different concepts and are subject to different rules, personnel must maintain the distinction between them. The terms are not interchangeable.

7.1.2.1. Off-Base Search Authority (US, possessions and territories). SF members cannot personally obtain search warrants to search off base quarters of military personnel. The installation commander's authority to search does not apply off-base. Search warrants for off-base searches may be obtained and executed by civil authorities and, in some circumstances, AFOSI agents. SF members may participate in an off-base search, if requested to assist by the civil authorities, subject to the limitations of the *Posse Comitatus Act* (18 U.S.C. § 1385). SF members must be aware of the scope of the search by civil authorities. If a member subject to the UCMJ gives written consent for an SF member to search their quarters, a search may be conducted without a search warrant. Use AF Form 1364, *Consent for Search and Seizure*, to document this permission.

7.1.2.2. Off-Base Search Authority OCONUS. Searches of the off-base homes and property of military personnel depend upon local agreements between the US and the host nation where American personnel are stationed. The commander of an AF installation issues procedures for off-base searches in a foreign country, with the advice of the local servicing legal office. Off-base searches of persons not subject to the UCMJ are the concerns of local authorities, unless otherwise stated in local directives or agreements.

7.1.3. Search and Seizure in Postal Channels. Searches in postal channels require very specific handling. After letters and parcels have gone through the postal service and have been delivered, they become the personal property of the person receiving them. As personal property, mail is subject to search and seizure in any legal manner. While in postal channels, mail may be searched and seized following authorization from the Postal District Magistrate. If the mail is personal property located on a military installation (located in postal service centers or already received by the member) it is subject to search and seizure. Due to a lack of established case law, in all cases contact the local SJA for further guidance.

**7.2. Search.** A search is an examination of a person, place or thing with a view toward discovery of a crime or criminal intent (e.g., stolen goods, burglary tools, weapons, etc.). SF personnel conduct searches of persons, places or things within jurisdictional limitations.

7.2.1. Illegal Searches. SF members who conduct unreasonable or illegal searches may be subject to criminal prosecution and civil action for damages. Evidence obtained in an illegal search may be inadmissible at a court-martial or other legal proceedings.

7.2.2. Personnel Searches.

7.2.2.1. Searches will be conducted IAW AFMAN 31-222. (T-2)

7.2.2.2. Stop and Frisk. Stop and Frisk. An SF member may stop another person temporarily when the SF member has information or observes unusual conduct that leads him/her reasonably to conclude, in light of his or her experience, that criminal activity may be afoot. The purpose of the stop must be investigatory in nature. When a lawful stop is performed, the person stopped may be frisked for weapons, when that person is reasonably believed to be armed and presently dangerous. Contraband or evidence located in the process of a lawful frisk may be seized. The Supreme Court case Terry (v.) Ohio (1968) held that police may briefly detain a person who they reasonably suspect is

involved in criminal activity. NOTE: An SF member stopping a person must be able to point to specific facts or circumstances even though the level of suspicion need not rise to that of the belief that is supported by probable cause. A reasonable suspicion is more than a hunch.

7.2.3. Property or Premise Searches. These must be conducted where objects sought could reasonably be found (e.g., if searching a room for a Big Screen TV, looking inside a small drawer would be unreasonable; confine the search to those areas where the TV could be located). The search ends when the object being sought is located.

7.2.4. Common Area Search. A common area search is an examination of a common area such as a dayroom in a dormitory. A common area is, in real estate or real property law, the "area which is available for use by more than one person..." Any questions concerning what is considered common area should be directed to SJA prior to conducting the search.

7.2.5. Confinement Search. A confinement search is an examination of the location where prisoners or detained personnel are held. Conduct confinement searches IAW AFI 31-205.

**7.3. Probable Cause Search.** Probable cause to search exists when there is a reasonable belief that the person, property or evidence sought is located in the place or on the person to be searched.

7.3.1. The special court-martial convening authority at each installation may appoint a military magistrate to authorize probable-cause searches. The installation commander will sign the appointment and specify the installation over which the magistrate has authority. SF will obtain the installation commander's (or appointed military magistrate's) permission to conduct a probable-cause search. Use AF Form 1176 to document this action. (T-1)

7.3.2. Most searches require probable cause (reasonable belief) or consent to be valid. There are unique situations where SF do not need probable cause such as when entering certain controlled or restricted areas.

7.3.3. When justified, the manner and extent of the search are commensurate with the reason for the search.

7.3.4. Normally, SF members do not conduct a probable cause search based solely upon the statement of one individual. The search authority may grant a search authorization if the reporting individual is considered to be particularly trustworthy or reliable. A search authorization request for such searches must detail why the person is considered trustworthy or reliable.

**7.4. Search Incident to Apprehension.** Supreme Court Case Arizona v. Gant (2009) Search Incident to an Arrest. The ruling states, “when conducting a search incident to an arrest or apprehension police may search, incident to arrest, only the space within an arrestee's “immediate control,” meaning “the area from within which they might gain possession of a weapon or destructible evidence.” The area within the person’s “immediate control” is the area which the individual searching could reasonably believe that the person apprehended could reach with a sudden movement to obtain such property. Any questions concerning what is considered immediate area over which the apprehended/detained person exercises control should be directed to the servicing legal office prior to conducting the search.

**7.5. Motor Vehicle Searches Incident to a Lawful Stop.** When a person lawfully stopped is the driver or a passenger in a motor vehicle, the passenger compartment of the vehicle may be searched for weapons if the SF member who made the stop has a reasonable belief that the person stopped is dangerous and that the person stopped may gain immediate control of a weapon. Furthermore, SF members may search an entire operable vehicle, including the trunk, without the need to obtain a search authorization/warrant, if they have probable cause to believe the vehicle contains contraband.

**7.6. Search with Consent.** Consent to search should be in writing, but may also be verbal. Verbal consent should be witnessed by a reliable second party, preferably another SF member. Ensure notes detailing the time, date and circumstances of consent are documented and included with the report. If possible, obtain the written documentation as soon as possible after the verbal consent; use AF Form 1364 if available. When the AF Form 1364 is not available, written consent may be given in any format or on any available material. Such written consent may be valid provided it indicates it was freely and voluntarily given and indicates the time, date, individual(s) and place(s) to be searched. Ensure the individual reads their absolute right to give consent to a search. Inform them that they can withdraw their consent to search at any time. Ensure the individual understands that if they consent to a search, anything found in the search can be used against them in a criminal trial or in any other disciplinary or administrative proceeding. Ensure the individual understands if they do not consent, a search cannot be made without a search authorization, search warrant or other authorization recognized by law. However, regardless of consent from one individual with standing at a residence, if a second individual with standing refuses to consent to the search, the residence cannot be searched (e.g., wife consents and husband refuses consent).

7.6.1. The law may require rights advisement before, during or after requesting or receiving consent to a search, depending upon if and when the individual becomes a "suspect" and the particular investigative circumstances.

7.6.2. SF must positively identify the non-consenting party. This can be done by their presence at the residence, the party reporting to the BDOC or through contact with an SF patrol.

7.6.3. When time permits, secure a search authorization even if consent is provided in cases where consent might be revoked before seized evidence can be properly processed/searched; for example, urine and blood samples for urinalysis or Blood Alcohol Testing (BAT) testing, computers, cellular phones or other electronic equipment needing special processing. If a search authorization is secured, do not inform the consenting person of the existence of the search authorization. If consent is refused or is withdrawn, notify the individual of the existence of the search authorization and continue with the search.

**7.7. Searches Conducted by Foreign Nationals.** Command may not delegate the general authority to order or to conduct searches to a foreign national. When making a lawful apprehension, host-nation contract SF personnel may search the suspect's person, clothing worn and the property in the suspect's immediate possession. Host nation contract SF personnel may also search a motor vehicle that a suspect was operating or riding in as a passenger. US and/or host-nation laws or agreements govern other restrictions or authorizations.

**7.8. Random Installation Entry/Exit Vehicle Checks.** Installation commanders may order SF to inspect all or a percentage of motor vehicles/property entering or leaving their installation per

AFI 31-113, *Installation Perimeter Access Control;* AFI 31-101; 18 U.S.C. § 1382; and MRE, Rule 313 (b) and Rule 314 (c). Random Installation Entry/Exit Vehicle Checks are ordered at a specific ratio (e.g., every 5th vehicle outgoing) by the installation commander. The purpose of an entry/exit examination is to prevent introduction of weapons and other contraband as well as to prevent the loss of classified information or government property. If an examination is declined, you must make a walk-around check of the vehicle to look for any probable cause in plain view (e.g., classified cover sheet, drug paraphernalia, weapon stock). If evidence is discovered to use as a foundation for a search request, SF must obtain authorization to search from the proper authorities (normally the installation commander). If there is no probable cause for a search, hold the individual and contact the SJA for further advice. (T-0)

**7.9. Exigent circumstances.** Upon probable cause, SF personnel may search without a search authorization or warrant when there is a reasonable belief that the delay necessary to obtain a search warrant or search authorization would result in the removal, destruction or concealment of the property or evidence sought. Circumstances surrounding the exigent circumstances must be detailed in the AF Form 3545/A. Exigent circumstances may include the following: if delay may endanger the life of the officer or the lives of others; if there is a likelihood that the offender will escape if not swiftly apprehended; to prevent the offender from destroying or distributing evidence; and if delay may enhance the offender's ability to effectively and forcibly resist. **NOTE:** SF members cannot cause the exigent circumstance and then use the situation to avoid obtaining search authorization.

## Chapter 8

## SEIZURES AND PRESERVATION OF EVIDENCE

**8.1. Seizure.** A seizure is the taking by authorities of items that are believed to be evidence of a crime. Probable cause to seize property or evidence exists when there is a reasonable belief that the property or evidence is an unlawful weapon, contraband, evidence of crime or might be used to resist apprehension or to escape. Authority for search and seizure is dependent upon the location in which a search is conducted and/or the person to be searched. This authority usually depends upon whether the search is on base, off base, OCONUS or in US Postal channels.

8.1.1. Property is most commonly seized in one of the following circumstances:

8.1.1.1. Pursuant to a search authorization or warrant issued by a competent authority.

8.1.1.2. Plain view: An SF member may seize objects which are in plain view if they have probable cause to believe the item is contraband or evidence of a crime. The SF member must be in the course of otherwise lawful activity and observe the property or evidence in a reasonable fashion. For example, an SF member stops a motorist for a minor traffic violation and can see a pistol in the car or a marijuana plant on the back seat. Horton v. California, 1990 US Supreme Court case, cited three conditions for the plain view rule to apply:

8.1.1.2.1. The officer did not violate the Fourth Amendment in arriving at the place from which the object could be plainly viewed.

8.1.1.2.2. The object's incriminating character must be immediately apparent.

8.1.1.2.3. The officer must have a lawful right of access to the object itself.

8.1.1.3. Exigent circumstances: See paragraph 7.9.

**8.2. Preserving Evidence.** Evidence must be protected from destruction, alteration or change. Collect identified evidence as soon as possible and carefully document where, when and who collected the evidence and the condition of the item. SF will maintain the chain of custody by exercising the following procedures: (T-1)

8.2.1. The SF member seizing or otherwise receiving an item of evidential property ensures all such property is immediately recorded on AF Form 52, *Evidence Tag*, and ensures the form is affixed to the item(s) of evidence.

8.2.2. Record all circumstances surrounding the discovery of evidence (e.g., vehicle and/or property inventory, location of the discovery, date and time, witnesses present, etc.). These notes provide facts for an incident report. Additionally, SF personnel may use these notes to refresh their memory before testifying in court. As a minimum, file a copy of the notes with the incident report. Retain original notes as required by the Jencks Act.

8.2.3. Ensure the AF Form 52 is annotated with the date, location, Security Forces Management Information System (SFMIS) case number (or blotter reference number), quantity, item, size, color, brand/style/model number, markings, approximate value, if known, and condition of the property, as well as the location of seizure and summary of incident. Additionally, if the evidence was taken directly from a person, annotate the name,

grade, status, unit and duty phone number of the individual from whom the property is received or seized. Ensure the tag is error-free and legible.

8.2.4. A single AF FM 52 may be used if several items are seized in relation to the same case from the same location by the same SF member. Several items seized by the same person, found in the same place and related to the same case may be listed on a single AF Form 52. If all required information fits within the tag, then each of these tags, regardless of amount, will be labeled 1 of 1. If additional space is needed to describe or list items from the seizure, then list those additional tags as 1 of 3, 2 of 3, etc. **NOTE:** Use a separate AF Form 52 to receipt for controlled substances, drug paraphernalia, firearms and ammunition from other items. This is due to these items requiring specialized storage separate from other items.

8.2.5. Ensure the AF Form 52 is properly witnessed upon initial acquisition.

8.2.6. Mark each item of evidence as soon as possible after its receipt/seizure. Place your initials, time and date of receipt/seizure in a place least likely to affect the item's shape, appearance and monetary or evidentiary value. If the evidence cannot be marked, place it in a suitable container; seal and mark the container with your initials, time and date of discovery. Exercise sound judgment to avoid damaging a valuable item which may be eventually returned to its owner.

8.2.7. The property receipt portion of the AF Form 52 is given to the person relinquishing the property. This applies to all property, even if the person relinquishing the property is not the owner of the property. If the individual declines or refuses to accept the receipt portion of the AF Form 52, that portion will be annotated to indicate the refusal or declination of the receipt. The completed AF Form 52 is then attached to the property.

8.2.8. SF units must maintain the capability to store and release evidence IAW AFI 31-206. Security Forces members collecting evidence own the responsibility of ensuring the actions above are completed. S2I will not assume responsibility for evidence until evidence is turned over for inventory. Coordinate all releases of evidence with the SJA.

8.2.9. In the event that evidence is explosive in nature, such as bulk explosives or military ordnance, the SF organization will request support from the installation's (or closest unit's) explosive ordnance disposal (EOD) team to provide guidance to the safe handling, packaging and storage of the explosive material. EOD teams will not be responsible for taking custody or storing the material.

## Chapter 9

## BOOKING PROCEDURES

**9.1. Fingerprinting Suspects Suspected of Criminal Offenses .** DoDI 5505.11, *Fingerprint Card and Final Disposition Report Submission Requirements*, requires an FD-249, *Criminal Fingerprint Card*, be submitted on all subjects under investigation by SF for offenses listed in **Attachment 8** of the DoDI. **Attachment 9** provides guidelines to assist in determining when to submit suspect fingerprints. Flights (S3/Operations) and S2I are responsible for fingerprint collection and inclusion in reports. Reports and analysis should be responsible for FBI fingerprint submission and follow-up. Security Forces Administration and Reports (S5R) receive final disposition information and maintain records. The method of processing fingerprints must be conducive to unit operations. (T-0)

9.1.1. Units must complete two FD-249s (complete sets of fingerprints on both cards) and prepare a Form R-84, *Final Disposition Report*, when required. **NOTE:** If the subject's final disposition is listed on the FD-249, there is no need to complete an R-84. Personnel must ensure administrative data required on both forms is the same. Where required, a Privacy Act Statement, **Attachment 10**, shall be provided to each suspect whose personal data is collected in accordance with DoD 5400.11-R, *Department of Defense Privacy Program*. (T-0)

9.1.1.1. Units must ensure all fingerprints are legible and all information is collected on both copies of the FD-249. One copy of the FD-249 will be maintained with the case file or report and the second copy will be forwarded to AFSFC/SFOP for submission into the FBI's Integrated Automated Fingerprint Identification System (IAFIS) until digital means are available. (T-0) The address for where to send fingerprint cards is:

AFSFC/SFOP
1517 Billy Mitchell Blvd
Joint Base San Antonio-Lackland, Texas 78236-0119

9.1.1.2. The Form R-84 will be sent to Criminal Justice Information Services (CJIS) via the address located on the R-84. Postage paid addressed envelopes can be obtained from the FBI for sending the R-84s only. Do not use the postage paid envelopes for submitting the FD-249s to AFSFC. **(T-0)**

9.1.2. Offender criminal history data records required in accordance with this instruction shall be initiated by preparing and submitting an FD-249 and, when required, a Form R-84, or their electronic equivalents, to the CJIS Division.

9.1.2.1. Military Subjects. Submit the FD-249 when an agent or law enforcement official determines, following coordination with the servicing SJA or legal advisor (in no case earlier than apprehension or the subject interview), that probable cause exists to believe the person has committed an offense listed in **Attachment 8**. (T-0)

9.1.2.1.1. Within 15 calendar days after final disposition of military judicial or nonjudicial proceedings, or the approval of a request for discharge, retirement or resignation in lieu of court-martial, disposition information shall be reported by the

DCIO or other DoD law enforcement organizations on the Form R-84, or an electronic data transfer equivalent, if it has not already been reported on an FD-249. (T-0)

9.1.2.1.2. Do not hold the FD-249 or Form R-84 pending appellate actions. Appellate action affecting the character of an initial disposition must be reported if it occurs. Dispositions that are exculpatory in nature (e.g., dismissal of charges, acquittal) shall also be documented on the R-84. (T-0)

9.1.2.2. Civilian Subjects. Submit the FD-249 within 15 calendar days of the subject interview, arrest, indictment or information, as applicable, for offenses punishable pursuant to the U.S.C. that are equivalent to those listed in **Attachment 8**. (T-0)

9.1.2.2.1. Submit the Form R-84 within 15 calendar days after sentencing. (T-0)

9.1.2.2.2. Prepare a memorandum for the case file in cases investigated jointly with another law enforcement organization when that organization agrees to obtain and forward fingerprints and criminal history data to the FBI. The memorandum shall identify each subject and the law enforcement organization collecting and forwarding the data. A current memorandum of understanding or agreement at the organizational level, addressing the requirement to obtain fingerprints and associated data and to forward said information to the FBI, will suffice in lieu of case-specific memorandums. However, copies of the submitted data must be obtained for the case file. (T-0)

9.1.3. Send the completed Form R-84 on military members to the FBI within 15 days after the SJA makes notification of final disposition of military judicial or nonjudicial proceedings. **NOTE:** Do not send Criminal History Data to the FBI for offenses disposed of by nonjudicial punishment if such punishment does not meet criteria outlined in **Attachment 8**. (T-0)

9.1.3.1. When submitting the FD-249 and Form R-84, charges must be described in commonly understood descriptive terms (e.g., murder, rape, robbery, assault, possession of a controlled substance) or by a commonly understood title. Offenses shall not be described solely by references to a UCMJ punitive article or to the U.S.C. or other statutory provision. Investigators must ensure that the charges annotated on the FD-249 reflect the actual charges being pursued through court-martial or non-judicial punishment. (T-0)

9.1.3.2. The disposition reflected on the FD-249 or Form R-84 must also be described in common language (e.g., conviction (include offense(s)), dishonorable discharge, reduction in rank, forfeiture of pay, charges dismissed). The disposition of “conviction” shall only be reported for crimes prosecuted by general or special court-martial yielding a plea or a finding of guilty. (T-0)

9.1.3.3. Adverse findings resulting from a summary court-martial should be recorded as follows: “Subject found guilty by summary court-martial.” Although action by summary court-martial is disciplinary in nature for a violation of military law, the Supreme Court has ruled that a summary court-martial is not a criminal proceeding (see US Supreme Court Case 425 US 25, “Middendorf v. Henry”).

9.1.3.4. Adverse findings resulting from nonjudicial proceedings pursuant to Article 15 of the UCMJ shall be recorded as "nonjudicial disciplinary action." An adverse finding or punishment pursuant to Article 15, UCMJ, is a disciplinary action, but does not constitute a criminal proceeding or conviction. Approvals of requests for discharge, retirement or resignation in lieu of court-martial and/or a finding of lack of mental competence to stand trial shall be recorded as final disposition on either the FD-249 or Form R-84, as appropriate. (T-0)

9.1.4. If at any time after an FD-249 and Form R-84 are submitted, you determine an error has been made or an appellate action changes the disposition, you must immediately notify the FBI. S5R must send a memorandum to the FBI to have the information corrected or withdrawn, as appropriate, within 15 days of notification of the appellate action. Include the Originating Agency Identification (ORI) number, file number, name and SSN of the subject with the correction or changed disposition. (T-0) Send the letter to:

Assistant Director, Criminal Justice Information Services
Federal Bureau of Investigation
1000 Custer Hollow Rd
Clarksburg WV 26306-0001

9.1.5. Procedures for obtaining the necessary forms and training are found in DoDI 5505.11 or the FBI website located at **http://www.fbi.gov/about-us/cjis/fingerprints_biometrics**.

9.1.6. For identification purposes, suspects must submit two sets of fingerprints, regardless of requesting legal counsel or not. File the fingerprints. In the event the suspect refuses, contact the SJA for guidance.

**9.2. Deoxyribonucleic Acid (DNA).** DNA Collection Requirement for Criminal Investigations.

9.2.1. Information. IAW DoDI 5505.14, *Deoxyribonucleic Acid (DNA) Collection Requirements for Criminal Investigations*, SF shall take DNA samples, or direct they be taken, from service members and civilians, except for juveniles, who are suspects of criminal investigations under conditions outlined in **Attachment 8** of this instruction. (T-0) **Attachment 11** provides a flowchart to assist in determining when to submit DNA.

9.2.2. Purpose. The purpose for DNA collection is similar to those for taking fingerprints. This includes making a positive identification and providing or generating evidence to solve crimes through database searches of potentially matching samples.

9.2.3. Acquiring Collection Kits. DNA samples required by DoDI 5505.14 shall be collected with the United States Army Criminal Investigations Laboratory (USACIL) DNA collection kits. Kits may be requested from USACIL through their Combined DNA Index System (CODIS) Branch at Defense Switch Network (DSN): 797-7258, commercial (404) 469-7258, or via electronic mail (email) at **codislab@conus.army.mil.** The kit shall include the Privacy Act Statement as well as instructions for collecting DNA samples and requests for expungement. The Privacy Act Statement and notice of general rights for requesting expungement shall be provided to the offender when the sample is collected.

9.2.4. Collecting Samples from service members. SF shall take DNA samples from service members and forward the samples to USACIL IAW Sections 14132, *Index to Facilitate Law Enforcement Exchange of DNA Identification Information*, and 14135 and 14135a, *Privacy*

*Protection Standards*, of Title 42, *Public Health and Welfare*, U.S.C. and the MCM when (T-0):

9.2.4.1. DNA is collected for offenses identified in **Attachment 8** when SF concludes, after coordination with SJA, there is probable cause to believe that the subject has committed the offense under investigation. SF must consult with SJA prior to making a probable cause determination. Samples may be collected, but not forwarded, prior to consultation. For the purposes of this instruction and pursuant to section 912a of 10 U.S.C., *Wrongful Use and Possession of Controlled Substances* (commonly known as "Article 112a of the UCMJ"), DNA shall be taken from all drug offenders, except those who are arrested or detained for the offenses of simple possession and personal use. However, DNA will be taken from those excluded offenders when charges are preferred or the subject is convicted at special or general court-martial of simple possession or use.

9.2.4.2. Courts-martial charges are preferred in accordance with RCM 307, *Preferral of Charges*, of the MCM if a DNA sample has not already been submitted.

9.2.4.3. A member is ordered into pre-trial confinement by a competent military authority after the completion of the commander's 72-hour memorandum required by RCM 305(h) (2) (C), *Pretrial Confinement*, of the MCM, if a DNA sample has not already been submitted.

9.2.4.4. A member is confined to a military correctional facility or temporarily housed in civilian facilities as a result of any general or special court-martial conviction, if a DNA sample has not already been submitted.

9.2.5. Expungement of Service Member Records. Current service members from whom samples are taken but who are not convicted of any offense by general or special courts-martial (including action generally inconsistent with such a conviction, such as administration of non-judicial punishment, administrative separation or referral to a summary court) may request in writing that their DNA records be expunged IAW the following procedures: (T-0)

9.2.5.1. Requests for expungement shall be forwarded through the first commanding officer in the member's chain of command, serving in the grade of O-4 or higher. Such requests shall include adequate proof that the charges have been dismissed, withdrawn or disposed of in a manner not resulting in preferral of charges pursuant to RCM 307 of the MCM or otherwise have not or will not result in a conviction of any offense (including proof of any action by a general or special court-martial convening authority that has the effect of a full acquittal).

9.2.5.2. The first commanding officer in the grade O-4 or higher will review and confirm the information and then submit the request through SF, only if SF are the investigative authority, who will then validate the member has no convictions that would prohibit expungement and forward the request to USACIL.

9.2.5.3. SF will send appropriate requests for expungement to USACIL. Requests will be on letterhead and bear the title, signature and telephone number of the law enforcement officer forwarding the request, preferably the S5 Superintendent, the NCOIC/Chief of Investigations or the S3 Superintendent of the responsible SF unit. Requests will clearly state that the member concerned is entitled to expungement and list the member's full

name, Social Security Number (SSN) and mailing address. Requests will include all documents submitted by the member along with any additional relevant documents in the possession of the SF official receiving the request. SF should maintain a copy of all requests in the case file or with the report, including those requests not forwarded to USACIL because expungement was not appropriate.

9.2.5.4. USACIL. Shall review requests for expungement to ensure they contain all of the required information. Incomplete requests will be returned to the submitter. When a request for expungement is received that is complete and appropriate, USACIL will expunge the DNA records, notify the member of its actions and maintain documentation of that notice.

9.2.5.5. If the member's commander, after consulting with the SJA, determines that expungement is not authorized, the commander should notify the requestor in writing with a copy furnished to S5R.

9.2.6. Expungement of Former Service Member Records. Former service members from whom samples were taken, but who were not convicted of any offense by a general or special court-martial, may request in writing that their DNA records be expunged IAW the following procedures (T-0):

9.2.6.1. Requests for expungement shall be submitted to the Headquarters Air Force Legal Operation Agency/Military Justice Division (HQ AFLOA/JAJM) and include all reasonably available proof showing that none of the offenses giving rise to the collection of DNA resulted in a conviction at a general or special court-martial (including a final court order establishing that such a conviction was overturned or establishing action by the convening authority that has the effect of a full acquittal). A court order is not final if time remains for an appeal or application for discretionary review with respect to the order. Such former members must include their name, SSN, current contact information, date of offense and contact information of the unit that the former member belonged to when the sample was taken. Requests that do not provide adequate information to identify the offense or to confirm the offense did not result in a conviction will be returned by "return receipt requested" with an explanation of the deficiency.

9.2.6.2. HQ AFLOA/JAJM shall search their records for any conviction pertaining to the former member and determine whether the former member is entitled to expungement. HQ AFLOA/JAJM will send appropriate requests for expungement by former service members to USACIL. Requests will be on letterhead and bear the title, signature and telephone number of the HQ AFLOA/JAJM forwarding the request. Requests will clearly state that the member concerned is entitled to expungement and list the member's full name, SSN and mailing address. Requests will include all documents submitted by the member along with any additional relevant documents in the possession of the official receiving the request.

9.2.6.3. USACIL will review all requests for expungement received to ensure they contain all the required information. Incomplete requests will be returned to the submitter. For complete requests, USACIL will coordinate with the FBI to expunge the DNA profile from the CODIS database.

9.2.7. Collecting Samples from Civilians. SF will take DNA samples from civilians whom they detain or hold and who remain within their control at the point it is determined there is probable cause to believe the civilian has violated a Federal statute equivalent to the offenses identified in **Attachment 8**, except for the listed violations that are exclusively military offenses. For the purposes of this instruction, DNA shall be taken from all civilian drug offenders, except those who are arrested or detained for the offenses of simple possession and personal use. DNA samples may also be taken by civilian law enforcement organizations; however, an individual DNA sample does not need to be taken more than once. (T-0)

9.2.7.1. DNA samples taken by SF shall be forwarded to USACIL. SF personnel shall document in the appropriate case file when civilian law enforcement organizations handle any aspect of the DNA processing and whether the civilian law enforcement agency forwarded the DNA sample to the FBI Laboratory. DoDI 5505.14 does not require SF personnel to take samples from a civilian not in their control at the point when a probable cause determination is made. (T-0)

9.2.7.2. Civilians whose samples are taken and forwarded, but who are not convicted of any offense, may request in writing that their DNA sample be expunged.

9.2.7.3. DNA samples shall not be taken from juveniles. (T-0)

9.2.8. Expungement of Civilian Records. To request expungement of DNA records for civilians pursuant to Sections 14132, 14135 and 14135a of 42 U.S.C., the requestor or legal representative must submit a written request to:

Federal Bureau of Investigations
Laboratory Division
2501 Investigation Parkway
Quantico VA 22135
Attention: Federal Convicted Offender Program Manager

9.2.8.1. If the request is for expungement of DNA records resulting from an arrest pursuant to the authority of the US, the requester must include, for each charge for which the DNA record was or could have been included in the national DNA index, a certified copy of a final court order establishing that such charge has been dismissed, has resulted in an acquittal or that no charge was filed within the applicable time period.

9.2.8.2. The copy of the court order must contain a certification that it is a true and accurate copy of the original court order and be signed and dated by an appropriate court official, such as a court clerk. The copy of the court order itself must be signed by a judge, be dated and include sufficient identifying information (at a minimum, the person's full name, SSN and/or date of birth) to determine the identity of the person and that the conviction offense was overturned, the charge was dismissed, the charge resulted in an acquittal or no charges were filed within the applicable time period.

9.2.9. When expungement is prohibited. Expungement is not authorized under any of the conditions in paragraph 9.2.7, of this instruction if the individual seeking expungement has a federal conviction for a separate offense that should have but did not result in the collection and forwarding of DNA to USACIL IAW DoDI 5505.14.

9.2.10. DNA/Fingerprint Refusal. SJA will provide local guidance should a military or civilian offender refuse to give DNA and or fingerprints. (T-0)

**9.3. Defense Clearance and Investigations Index (DCII).** AFOSI will index subjects of criminal investigations, based upon reports of crimes provided by Security Forces, in DCII as soon as it is determined that credible information exists that the subject committed a criminal offense IAW DoDI 5505.07, *Titling and Indexing Subjects of Criminal Investigations in the Department of Defense*. **NOTE:** Coordination will be made with the servicing AFOSI detachment and S5R in regards to how the reports to be indexed will be received. (T-0)

9.3.1. Organizations engaged in the conduct of criminal investigations shall place the names and identifying information pertaining to subjects of criminal investigations in title blocks of investigative reports. All names of individual subjects of criminal investigations by DoD organizations shall be listed in the DCII. (This instruction does not preclude the titling and indexing of victims or "incidentals" associated with criminal investigations.) IAW AFI 31-206, SF will provide original reports of investigations, AF Forms 3545A, Incident Reports and CVB Forms 1805 to AFOSI for indexing within DCII. (T-0)

9.3.2. The purpose of listing an individual or entity as the subject of a criminal investigation in the DCII is to ensure that information in a report of investigation may be retrieved at some future time for law enforcement or security purposes. The purpose of titling the report of a criminal investigation is to identify the subject for accuracy and efficiency of the investigative effort.

9.3.3. The DoD standard that shall be applied when titling and indexing subjects of criminal investigations is a determination that credible information exists indicating that the subject committed a criminal offense.

9.3.4. Responsibility for titling investigative reports and indexing shall rest with the investigative officials designated to do so by the heads of the DoD components.

9.3.5. Titling an individual or entity is an operational rather than a legal decision. The acts of titling and indexing are administrative procedures and shall not connote any degree of guilt or innocence.

9.3.5.1. The listing of a subject's name and other identifying information in the DCII indicates only that a report of investigation concerning that person or entity has been created.

9.3.5.2. Judicial or adverse administrative actions shall not be taken against individuals or entities based solely upon the fact that they have been titled or indexed due to a criminal investigation.

9.3.6. Once the subject of a criminal investigation is indexed, the name shall remain in the DCII, even if a later finding is made that the subject did not commit the offense under investigation, subject to the following exceptions (T-0):

9.3.6.1. Identifying information about the subject of a criminal investigation shall be removed from the title block of a report of investigation and the DCII in the case of mistaken identity, i.e., the wrong person's name was placed in the report of investigation as a subject or entered into the DCII.

9.3.6.2. Identifying information about the subject of a criminal investigation shall be removed from the title block of a report of investigation and the DCII if it is later determined a mistake was made at the time the titling and/or indexing occurred, in that credible information indicating that the subject committed a crime did not exist.

9.3.7. If a determination is made that a subject's identifying information requires removal or correction, investigating organizations shall remove such information as soon as possible and shall make appropriate corrections to all reports of investigation and the DCII, which shall include, if appropriate, entering the correct name on the reports and in the DCII. (T-0)

9.3.8. An individual or a business entity seeking access to an investigative file must request the file from the organization that has custody of the file.

9.3.9. When reviewing the appropriateness of a titling/indexing decision, the reviewing official shall consider the investigative information available at the time the initial titling/indexing decision was made to determine whether the decision was made in accordance with the standard stated in paragraph 9.3.3.

9.3.10. An individual (or representative of a business entity) who believes they (or the business entity represented) were titled or indexed wrongly may appeal to the head of the investigating organization to obtain a review of the decision.

9.3.11. Organizations engaged in the conduct of criminal investigations shall establish a written process, as further described below, whereby individuals or entities who have been titled or indexed may obtain a review of such decisions. A copy of that procedure as well as any subsequent revisions of the policy shall be provided to the Deputy Assistant Inspector General, Criminal Investigative Policy and Oversight, Office of the Inspector General of the Department of Defense. (T-0)

9.3.11.1. The review process must include the requirement that an individual seeking a review of a titling and indexing decision submit a written request to the head of the investigating organization giving reasons for the reversal of the determination. (T-0)

9.3.11.2. Heads of investigating organizations shall then solicit and consider written input from their applicable line and staff functions and obtain a legal review before deciding whether or not to reverse the previous titling or indexing decision. (T-0)

9.3.11.3. The head of the investigating organization shall notify the requestor of the decision and provide information on other applicable agency channels from which to seek relief (e.g., boards for the correction of military records). (T-0)

9.3.11.4. Decisions on whether or not to reverse the decision shall be documented and appropriately filed. (T-0)

**9.4. Considerations.** Units should coordinate with the local SJA and OSI for the execution of the booking system. This is especially true for DNA collection and submission of DCII data. The ultimate goal of these DoD policies is to ensure the establishment of criminal records for offenders. Proper execution of the policy and proper completion of the forms will ensure these records are created.

**9.5. Training.** Units should develop training on the booking process and incorporate it into the unit’s training plan.

## Chapter 10

## RIGHTS ADVISEMENT

**10.1. The Fifth Amendment.** The Fifth Amendment to the US Constitution specifies that "no person shall be compelled in any criminal case to be a witness against himself". This means that individuals subject to custodial interrogation by law enforcement personnel must be informed of their Constitutional rights under the Fifth Amendment right against self-incrimination. (T-0)

**10.2. Article 31, Uniform Code of Military Justice (UCMJ).** Under Article 31, UCMJ, it is not necessary for a military member to be apprehended or arrested for Article 31 rights to apply. Personnel who are subject to the UCMJ must always be informed of their Article 31 rights, before any questioning, as soon as they are suspected of a crime. (T-0)

10.2.1. Article 31 (b) states, "no person subject to this chapter may compel any person to incriminate himself or to answer any questions the answer to which may tend to incriminate him."

10.2.1.1. The privilege against self-incrimination is applicable only to evidence that is of a testimonial or communicative nature. The privilege applies to more than verbal or written statements or confessions. Nonverbal communicative acts, such as head, hand or eye movements may also be protected. Additionally, a person has the right to not make a statement, even if they do not appear incriminating.

10.2.1.2. Compulsion or coercion is any kind of mental or physical force that causes a person to do something against their will. The suspect must not be threatened, tricked or coerced into waiving any rights; nor can they be promised anything to waive their rights.

10.2.2. Article 31 (b) states, "No person subject to this chapter may interrogate or request any statement from an accused or a person suspected of an offense without first informing him of the nature of the accusation and advising him that he does not have to make any statement regarding the offense of which he is accused or suspected, and that any statement made by him may be used as evidence against him in a trial by courts-martial." Always use either AFVA 31-231 or an AF Form 1168 to inform a person of their rights. Prior to any interrogation or statement request, Military Rules of Evidence (MRE) Rule 305 (c) and (d) requires that an accused or a person suspected of an offense be (T-0):

10.2.2.1. Informed of the Nature of the Accusation. Suspects must be informed of the nature of the offense for which they are being questioned. Do not quote specific articles, instead use common language of the type of crime suspected. The explanation of the nature of the offense must include the crime involved and the place of the incident (example: Theft of government computers from Building 1351, Joint Base San Antonio-Lackland TX). It should not normally disclose the identity of witnesses or sources, specific detailed testimony or facts. It is not considered adequate to simply advise the suspect the investigation concerns a specific case type such as larceny, misconduct, etc.

10.2.2.2. Advised of the right to remain silent; that is say nothing at all.

10.2.2.3. Advised that any statement made may be used as evidence against the accused or suspect in a trial by courts-martial.

10.2.2.4. Advised they have a right to legal counsel and to have a lawyer present during the interview.

10.2.2.4.1. As a result of court decisions, a person accused or suspected of an offense has a right to consult a lawyer before being questioned and a right to have a civilian lawyer present during any questioning; and that, if they are unable to afford a lawyer, one will be appointed for them, at their request. Under military law, this applies to military members, with the further provision that a military lawyer will be provided on request regardless of whether the member is able to afford a lawyer.

10.2.2.4.2. Consult the servicing legal office before interviewing subjects on behalf of a foreign law enforcement agency. (T-1)

10.2.3. Ensure the suspect understands his/her rights and is willing to answer questions. Suspects must understand their rights before they can execute a valid waiver of those rights. Evidentiary problems may result if a statement is taken from a suspect who is too intoxicated or unable to understand their rights advisement for any reason, i.e., language barriers, mental challenges, etc.

10.2.4. Cleansing Statements. If, during the course of an investigation it is discovered that a suspect was questioned or an incriminating statement made without a proper rights advisement, the information obtained may be inadmissible in a court-martial proceeding. The remedy is for the SF member to stop further questioning, advise the suspect that any statement(s) previously made was (were) obtained in violation of their rights and cannot be used against them. The SF member must then conduct a proper rights advisement and should the suspect waive their rights begin the questioning over. **NOTE**: Truly spontaneous exclamations or unsolicited statements made by suspects do not require a cleansing statement.

10.2.5. Identify Conflicts of Interest. Immediately inform your Flight Chief if a conflict of interest exists (i.e., tasked with interviewing a relative, friend(s) or person(s) with whom the SF member is affiliated). Although the SF member may be comfortable with the interview, the potential perception of favoritism, discrimination or unfavorable bias must be taken into consideration.

**10.3. When to Advise.**

10.3.1. Military members or personnel subject to the UCMJ suspected of committing a crime must be advised of their rights before questioning. Determine whether or not the member is a suspect by all known surrounding circumstances, not just by opinion or belief. If, when questioning a witness, the witness makes a statement that may be incriminating or causes suspicion, then at that point, the witness becomes a suspect. The SF member must stop the questioning and advise the individual of their rights.

10.3.2. Civilian suspects do not have to be advised of their Fifth Amendment rights until they are in custody (a custodial situation is one in which the suspect's freedom of movement is restrained although they may not be apprehended).

10.3.3. Whenever there is doubt, consult with SJA.

**10.4. Rights Advisement Procedures.** While there is no requirement that Article 31 (military) or the Fifth Amendment (civilian) rights be read verbatim to an accused, it is essential that the

applicable rights provision be clearly stated before the suspect is questioned. Rather than attempting to advise a suspect of their rights from memory, which may be called into question during a court-martial, use the appropriate advisement of rights (Article 31, UCMJ, or Fifth Amendment, US Constitution) directly from AFVA 31-231. Rights advisement must be given to all suspects regardless of any explanation or statement by the suspect that they understand their rights so they need no advisement. Advise the individual of their rights in the same manner prior to any re-interview or questioning concerning any offense that would not be covered by the original advisement and remind the individual of the original rights advisement. (T-1)

10.4.1. In lieu of using the AFVA 31-231 for rights advisement, the advisement can be given directly from the AF Form 1168. This form is read, dated, completed and signed by the suspect before the actual questioning occurs. Before any statement obtained from a suspect during an interrogation may be admissible in court, the government must establish that the suspect waived their right to remain silent. The AF Form 1168 provides written documentation the prosecution may offer as evidence at a court-martial. The form also helps establish the suspect was properly advised of their rights. If the suspect declines to sign the AF Form 1168 (but does not request an attorney), the advisement of rights must be witnessed and the AF Form 1168 annotated to reflect the fact that the subject was so advised and refused to sign the form, but verbally consented to the interview. The form must be dated and signed by the interviewer and the witness. AF Form 1168 contains both the military and civilian rights advisement.

10.4.2. Do not begin the interview until the suspect specifically states they understand and waive their rights. For example, if after the advisement of rights, the suspect states they do not want to answer questions or make a statement, but would like to ask some questions, the suspect should be allowed to ask the questions or otherwise make unsolicited comments. The interviewing SF member may make direct replies to such questions, but will not pose any questions or prolong the conversation in any way. The point of discussion should be to either proceed with the interview under the advisement or terminate the interview. If the suspect subsequently waives their rights, the interview may begin. If the suspect initially exercises the right to remain silent or exercises that right at any time during an interview, the interview must be terminated. Similarly, if the suspect initially exercises the right to counsel or exercises that right at any time during the interview, the interview must cease until counsel is present. The SF member must not reinitiate questioning without first coordinating the interview with the SJA. (T-1)

10.4.3. If the suspect (or parent or guardian in cases involving juveniles [check local laws to define a juvenile]) states they want a lawyer, the interview must stop. The suspect must have an opportunity to contact and consult with a lawyer and to have a lawyer present during any subsequent questioning. (T-1)

10.4.4. In cases involving juveniles, after proper advisement of rights and consent to be interviewed is granted, the interview should be done in the presence of at least one parent. If a parent or guardian cannot be present during the interview and the juvenile is 12 years of age or older, two SF personnel, preferably with one being the same sex as the suspect, will be present during the interview. No juvenile under the age of 12 will be interviewed as a suspect without a parent or guardian present. Also, if no parent is present, the SF member making contact with the parent or guardian must inform the parent or guardian that the juvenile has a right to counsel prior to the interview. Refer to local state laws for the definition of a

juvenile. **NOTE:** If local law stipulates conflicting ages, contact the local SJA for guidance. (T-1)

10.4.5. When an SF member interviews an individual of the opposite sex, another SF member of the same sex as the interviewee should be present to witness the interview. If an SF member of the same sex is not available, a second SF member or investigator must witness the interview. (T-1)

10.4.6. In foreign countries, consult the servicing SJA to determine the proper procedure for advising foreign nationals of their rights prior to an interview. (T-1)

10.4.7. Once a suspect invokes the right to counsel, stop the interview. (T-0)

10.4.8. If a member requests legal counsel, you must wait 14 days before re-approaching. If after 14 days the member has not obtained legal counsel, you may attempt another interview according to US Supreme Court's ruling in Maryland v. Shatzer 559 US (2010). Regardless, coordination with the local SJA is vital. (T-0)

## Chapter 11

## INTERVIEWS

**11.1. The Interview for Personnel Potentially Involved in an Incident.** An interview is the questioning of a person who has, or is believed to have, information of official interest to the interviewer. In an interview, the person being interviewed gives an account of their knowledge of an incident that is of interest to the interviewer. After the person gives their account of an incident, the interviewer must review the information and clarify any points which are in contradiction to previously obtained information or are just unclear or vague. **NOTE:** If a person refuses to report to SF, seek advice from your servicing legal office. Also, it is a good rule of thumb to always have two SF present for all interviews regardless of gender or age. The purpose of an interview is:

11.1.1. To gain information in order to establish the facts and to develop information on specific crimes and/or offenses.

11.1.2. To verify or corroborate previously learned information.

11.1.3. To identify any additional witnesses and to eliminate suspects.

11.1.4. To identify perpetrator(s) and accomplice(s).

11.1.5. To secure additional evidence.

11.1.6. To discover details of other offenses.

11.1.7. To document an individual's knowledge/lack of knowledge about an event and record their recollection of what happened.

**11.2. Interviews.** An interview can be accusatory in nature. The interviewer informs the suspect of the accusation and presents the suspect with facts tending to prove the suspect's guilt.

11.2.1. Custodial interview. A custodial interview is questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprived of his freedom of movement in any significant way. In a custodial interview, civilians must be advised of the "Miranda Rights" prior to questioning. A military member suspected of committing an offense must be advised of their Article 31 rights prior to any questioning, regardless of whether or not they are in custody.

11.2.2. Non-custodial interview. A non-custodial interview is questioning initiated by law enforcement officers when a person has not been taken into custody or otherwise deprived of his/her freedom of movement in any significant way and is free to leave at any time. A non-custodial interview of a civilian does not require a "Miranda Rights" advisement in order to use statements as evidence at trial. A military member suspected of committing an offense must be advised of their Article 31 rights prior to any questioning regardless of whether or not they are in custody.

**11.3. Human Factors.** Because human factors influence the outcome of an interview, the interviewer must understand the interviewee's motivation, fears and mental make-up.

11.3.1. Perception of Memory. The quality of the information received by the interviewer during the interview or interrogation will be affected by the interviewee's ability to recall

correctly and then transmit facts accurately to the interviewer. Many things may influence the perception of events, but the most common causes of mistakes made in recalling information are:

11.3.1.1. Weakness of the interviewee's ability to see, hear, smell, touch or taste.

11.3.1.2. The location of the interviewee in relation to the incident.

11.3.1.3. Lapse of time between the incident and the interview.

11.3.2. Prejudice. Interviewees are sometimes influenced by prejudices. Specific information must be gathered instead of general information to prevent prejudices from influencing the disclosure of information given by the interviewee.

11.3.3. Reluctance to Talk. Some interviewees may be reluctant to disclose information to the interviewer. There are many reasons for this but some of the more common are:

11.3.3.1. Fear of Involvement. Some persons, not being familiar with investigation methods, may fear SF.

11.3.3.2. Fear of Publicity. The fear of publicity or fear that the subject or suspect may seek reprisals against them or their families often keeps people from divulging information.

11.3.3.3. Inconvenience. Many people feel that getting involved in an incident may require a great deal of time and do not want to get involved for this reason.

11.3.3.4. Resentment toward Security Forces. People may have had previous negative experiences with SF and refuse to divulge information.

11.3.4. Personality Conflicts (between the interviewer and the interviewee). The interviewer must recognize that personality conflicts between them and an interviewee can occur. If this occurs, the interviewer must not take it personally, but should let another interviewer conduct the interview.

**11.4. Witnesses to Interview.**

11.4.1. Members of the Opposite Sex. In cases involving suspects of the opposite sex of the SF member, refer to the procedures as identified in paragraph 10.4.5.

11.4.2. Juveniles. A witness must be available. If a parent or guardian of a juvenile cannot be present, at least one other SF member or investigator must be present to witness the interview and should, if possible, be the same sex as the juvenile.

11.4.3. For all interviews. Another SF member or investigator, if available, should always be present, directly or indirectly (e.g., viewing via closed circuit television).

**11.5. Who Security Forces Interview.**

11.5.1. Victims. A victim is normally interviewed to develop facts in an investigation. Because the victim may be emotionally upset, the interviewer must be careful that the information received is not distorted by the interviewee. A victim may be interviewed at their home, place of business or hospital. The interviewer may interview in a place of their choosing or at a place the victim has chosen.

11.5.2. Witnesses. A witness is a person, other than a suspect, that has information pertinent to the investigation being conducted. Witnesses may come forward voluntarily, but sometimes must be sought by the SF member. Normally, the witness or victim will have information about how an offense was committed, who committed the offense, when the offense was committed and why the offense was committed.

11.5.3. Complainants. A complainant is a person who reports an incident. They may be the victim and/or the witness.

11.5.4. Suspects. The suspect is one who is suspected of being involved in committing an offense. If the suspect is not willing to come forward and tell their story, contact SJA for guidance.

**11.6. Conducting the Interview.**

11.6.1. Preparing. When adequate time is available, the interviewer must thoroughly prepare prior to the interview. Preparation steps can include:

11.6.1.1. Familiarity with the Case. The interviewer must, as much as possible, become familiar with the facts and background of the case.

11.6.1.2. Background of the Interviewee. When time permits, a background check must be conducted prior to the interview. Facts of particular interest to the interviewer could be:

11.6.1.2.1. Age, nationality, race and place of birth.

11.6.1.2.2. Present or former rank.

11.6.1.2.3. Education level, present duty position and former occupation.

11.6.1.2.4. Habits and associates to include hobbies and other off-duty activities.

11.6.1.2.5. Prior offenses committed.

11.6.1.3. Information sought. The interviewer, prior to the interview, must decide what information he/she hopes to obtain during the interview. Identify the elements of the UCMJ Article or statute in question. Ensure the elements are applicable to the correct charge. Devise a list of questions to ask during the interview. The list will minimize the need to recall a witness, victim and complainant or suspect because the interviewer did not ask all appropriate questions in the initial interview (a witness, victim, complainant or suspect may be recalled if further questioning is needed at a later date).

11.6.1.4. Seek clear specifics. Victims, witnesses and suspects sometimes talk in general terms or use slang which may be interpreted in different ways. Have the interviewee identify who they were talking about when they use terms such as he/she/they. Another example is when a person talks about smoking “weed.” Have them clarify what they meant by weed. Others are often reluctant to use offensive terms and may be prompted to identify what specific words they mean. Information should never be left to be assumed, such as using terms like: “the N-word” or “MF”, etc.

11.6.2. Planning, Time and Place of Interview. Conduct the interview as soon as possible after an incident to preclude the interviewee from forgetting facts surrounding the incident. However, it may be advantageous to interview a person at a later date. In the case of a

cooperative witness, the interviewer may choose to interview the witness at the witnesses' convenience. Interviews must be conducted at reasonable times of the day and be of a reasonable duration. A person may be interviewed at almost any location needed. Uncooperative witnesses or suspects should be interviewed in an interview room. The interview room should be plainly furnished with a table and chairs and not contain pictures or other objects such as a clock that would distract the suspect. The interviewer must not have a phone in the room, but should have appropriate forms available. A "Do Not Disturb" sign on the door may preclude unnecessary intrusions during the interview.

11.6.3. Introduction and Identification. At the start of an interview, the interviewer must identify themself and, if applicable, show the interviewee their credentials. All administrative data applying to the interviewee must be gathered at this time. The introduction allows the interviewer to evaluate the interviewee and give the interviewee time to relax and get in the proper frame of mind. The interviewer then should open with a general statement about the investigation without divulging pertinent information or specific facts.

11.6.4. Approaches for Witnesses.

11.6.4.1. Direct Approach. When the interviewee is unable or unwilling to give information freely, this approach may be used. This approach involves the interviewer asking direct questions to elicit responses.

11.6.4.2. Indirect Approach. The indirect approach may be used with the cooperative witness or suspect. The interviewer asks a general question and allows the interviewee to tell the story. The interviewer becomes a "listener" instead of an "interrogator".

11.6.4.3. Alternating Approach. The alternating approach is a combination of both approaches where the interviewer alternates between the direct and indirect approach.

11.6.5. Conducting an Interview. The interviewer should establish rapport with the interviewee. This is done by relating to the interviewee through common likes, such as sports. The interview should remain somewhat friendly, but businesslike and professional. The interviewee should be made to feel that the information given is important and must be allowed to tell the story without continual interruption. The interviewer must avoid antagonizing the interviewee. Special care must be given to ensure the interviewer controls the interview at all times.

11.6.6. Special Considerations.

11.6.6.1. Victims. The interviewer must keep the emotional state of the victim/witnesses in mind when questioning them. If the victim is too upset, terminate the interview and reschedule it for a later date when the victim is capable of participating in the interview. Interviewing a victim in this state of mind can lead to obtaining distorted facts. When interviewing a victim, it is best to display concern and consideration for the victim so the victim feels as if they have come to the right place. This show of concern may also put the victim off-guard, if the victim is being uncooperative.

11.6.6.2. Photographs and Sketches. Photographs and sketches may be useful in the interview. A photograph or sketch may be used to refresh the interviewee's memory or help the interviewee explain relationships of people and things at the scene. Care must be

taken to ensure all photographs and sketches are preserved and properly identified for further use in court.

11.6.7. Note Taking. Special consideration should be given to note taking as the interviewer may need to refer to them months after the interview. Notes must contain the SFMIS case number, date of interview, person interviewed and the time of the interview. All pertinent data should be recorded to facilitate memory at a later date. Notes should be sealed in an envelope and submitted with the report. All notes to include original drafts are required to be available upon request during court proceedings as per the Jencks Act.

11.6.8. Electronically recording the interview. An electronic recording of an interview may be beneficial during the investigation and later at a court-martial. Consult the servicing legal office prior to using electronic recording devices.

**11.7. Closing the Interview.**

11.7.1. The interviewer should display their appreciation for the cooperation of the interviewee once the interview is complete.

11.7.2. Make no promises to the interviewee in regards to confidentiality.

11.7.3. Release military personnel who are subjects/suspects to their First Sergeant or commander via DD Form 2708, IAW AFI 90-505, *Suicide Prevention Program,* when interviewed by an SF member. Ensure you brief the Commander/First Sergeant of the specifics if there are concerns for the safety of the suspect or interviewee. Release disposition(s) of all apprehended personnel will be reflected in the appropriate report. (T-1)

11.7.4. Release military personnel to the First Sergeant, Commander or designated representative (E-7 or above) when the First Sergeant or Commander are not available.

**11.8. Evaluation of Information.** After the interview, the interviewer should carefully evaluate the information received. This can be done by comparing it to previously received information or specifics which were observed at the scene of the crime. The attitude, as well as the emotional state of the interviewee, may also aid in the evaluation of information.

**11.9. Interviewing Civilians.** Interviewing civilians is contingent upon the jurisdiction of the installation. Interviews of civilians are normally limited to those that are voluntary as an interviewee. If a civilian is suspected of an offense, contact the servicing legal office before proceeding with the interview. If a civilian refuses to be questioned, simply make a written memorandum indicating the facts in the situation. **NOTE:** Weingarten Rights--under Federal law, employees who are members of a recognized bargaining unit are given certain statutory rights. One of these rights specifically impacts upon the manner in which SF may conduct an investigation. A civilian employee who is interviewed by SF personnel during the course of an investigation, who reasonably believes that they might be disciplined, and who requests union representation, is entitled to have a union representative present during the interview. There is no duty to inform the individual of this right. The individual must be a member of a recognized bargaining unit for the right to attach. Once this is established, however, and the individual makes a request in any form for union representation, the individual must be given an opportunity to contact the union representative prior to any interview. The union representative has the right to take an active part in the interview, including the right to confer privately with the employee prior to answering questions and have questions clarified prior to answering.

Questions regarding the status of the individual as a bargaining unit employee, or possible delays caused by the temporary unavailability of the representative designated by the union, must be referred to the servicing legal office. (T-0)

11.9.1. Ensure non-custodial civilian suspect interviews are properly conducted and annotated. Inform the interviewee that their presence/participation is voluntary; they are not required to answer questions and are free to leave at any time. If a suspect-interviewee declines to answer questions or at any point wants to depart, s/he should be able to do so without interference. Should the interviewee make incriminating statements, admissions or confess, they must still be allowed to depart. Upon coordination with JA, the person can be summonsed back at a later time for suspect processing: fingerprints, DNA, photos, etc. (T-1)

11.9.2. In the case of civilians, all efforts will be made to release suspects to their civilian or military supervisor, military sponsor or a relative, if possible. Again the interviewer must make face-to-face contact and provide the escort with a briefing concerning the suspect's/subject's demeanor and perceived mental state so that proper counseling can be obtained if necessary. (T-1)

11.9.3. In the event a civilian suspect is to be released on their own recognizance, investigators will first take into account the suspect's emotional well-being. If it is suspected the person may pose a threat to themselves or others, then medical and/or local authorities must be summoned. The interviewer will brief authorities on any mental health concerns for involuntary medical evaluation consideration so that proper counseling can be obtained if necessary. Release disposition(s) of all apprehended personnel will be reflected in the appropriate report. (T-1)

**11.10. Obtaining Statements.** Whenever possible, obtain a written statement via AF Form 1168 from an interviewee. If the statement may have value as evidence, the statement should be sworn to and witnessed. If unable to obtain a written statement from the interviewee, the interviewer will complete a written statement via AF Form 1168 capturing the details of the interview; the statement should be sworn to and witnessed.

**11.11. Other Interviews.** Interviewing occurs anytime you are asking questions of a person. Basic information questions are used often to establish identity. You can always ask people for identification, where they live, where they are from, etc. The nature of your questioning may change based upon your intent. Questioning a suspicious person in housing will differ from questioning a person suspected of a crime. The interviewing discussed above is primarily focused on a specific offense or offenses and the Law and Order patrol is attempting to discover evidence through an interview. Canvas interviews and field interviews are probably the most common types of interviews SF will accomplish on a day-to-day basis.

11.11.1. Canvas Interviews. Canvas interviews are conducted in the immediate areas surrounding a crime scene or incident site. They are used to obtain information and identify witnesses who may not come forward on their own and who may be able to provide relevant information to aid in the investigative effort. SF patrols may be required to conduct canvas interviews to determine facts about an incident subsequent to the initial response, as part of a preliminary investigation, or in support of AFOSI or SF investigators while they are processing the crime scene or incident site. Canvas interviews do not target specific persons; they target all persons within a specific area around a crime scene or incident site.

11.11.2. Field Interviews. Field interviews, unlike canvas interviews, target a particular person seen in an area. These interviews are conducted to find out what a person is doing in an area and to determine their activities. Field interviews are typically initiated upon observation of suspicious activity or due to potential association with a crime or incident. Any information collected during a field interview should be documented and forwarded through operational channels, via AF Form 3907, *Security Forces Field Interview Card*, to the investigations section for processing. Persons identified during field interviews may be contacted later for further interview if crimes are reported later in the area where they were stopped. Patterns of activity can also be identified if the same person is habitually stopped in an area where criminal activity is identified.

## Chapter 12

## TESTIFYING

**12.1. The Importance of Testifying.** The final and most important test of an SF member's effectiveness will be their appearance in courts-martial, federal magistrate court appearances, pretrial investigations and discharge boards. The preparation of a case is made with the ultimate goal of presentation. The precautions taken at the crime scene, preservation of evidence, questioning of witnesses and suspects, as well as detailed incident reporting will all come together at the trial or hearing. Through adequate preparation, appropriate attitude and testimony, personnel will assist in securing a just decision. **NOTE:** Prior to testifying and preparing for court or hearing appearances, SF members must consult with the servicing legal office.

12.1.1. Preparation. Prior to being interviewed by counsel and testifying, arrange and review original notes, sketches and photographs to recall all details of the case and be ready to use them while testifying. Careful studying of all materials and facts prior to speaking about them will prevent error, confusion and inconsistencies, which may lead to a loss of poise and composure and, thus, undermine credibility.

12.1.1.1. Review the report so the presentation will be consistent. Find out from counsel, when possible, what will be asked, how it will be asked and how the SF member must present the testimony. Report any irregularities about the formalities of the investigation of the accused to the trial counsel before the trial.

12.1.1.2. Check personal appearance when preparing to testify. First impressions are important as a witness is called to the stand. The attention of the court is constantly directed at the SF member throughout his/her testimony. Regardless of the uniform to be worn, personnel must be correctly and neatly dressed.

12.1.2. Attitude. The ultimate goal is to see justice done and the truth revealed.

12.1.2.1. To be convincing as a witness and be successful in avoiding attacks directed toward revealing bias, prejudices, interest and lack of truthfulness, personnel must show no interest in the conviction or acquittal of the accused.

12.1.2.2. The best way to show no interest when called to testify is to avoid having an interest in the first place. Always testify freely and frankly.

12.1.3. Testimony. Skill, tact, poise and self-confidence are essential when presenting testimony.

12.1.3.1. Speak in a natural, unaffected tone. The SF member's speech must be business-like, clear and loud enough for all concerned parties to hear. Answers must be directed to the fact-finder. Avoid using police jargon during testimony. Always be frank and courteous and assume an erect but comfortable posture. Slouching or carelessness in posture may suggest an indifference to the issue at hand.

12.1.3.2. Be certain to understand each question before attempting to answer it. If unsure of what is expected, ask to have the question repeated or explained. Always confine answers to the question being asked. Don't ramble or volunteer unnecessary information.

12.1.3.3. Never argue with counsel or any party to a trial or hearing. Additionally, never lose composure or testify to anything not known as fact. If you do not know the answer to a question, say so.

12.1.3.4. Testify to only those matters of personal knowledge. Give opinions, suspicions or conclusions only if asked directly. In most cases personnel will limit their testimony to what they themselves heard, saw, smelled, tasted, did and said.

12.1.3.5. Refer to notes and memoranda. Witnesses may refer to notes and memoranda to recall facts that have become hazy or been forgotten. Reference to notes is usually permitted if individuals request permission to do so. Coordinate use of notes and memoranda with the counsel calling you as a witness.

## Chapter 13

## CRIME PREVENTION

**13.1. Introduction.** Crime prevention is any measure taken to reduce the opportunity for crime by enhancing the community's sense of safety and security through measures to include increased awareness and confidence, improved planning and design, as well as committing to strategies and programs addressing risk factors. Crime prevention is the key to improve quality of life issues in an effort to minimize hazards and threats within our communities which result from criminal and anti-social behavior. Crime prevention helps protect our society by developing an environment where crime cannot flourish.

**13.2. The Air Force Vision.** The vision of the Air Force Crime Prevention Program is to address the causes of crime, reduce opportunities for crime to occur and reduce the desire to engage in criminal activities. The program also establishes a collaborative partnership between local law enforcement agencies and individual citizens, as well as for units and organizations to develop solutions to problems and increase trust in SF.

**13.3. Scope.** Crime prevention is a command responsibility that requires planning, support, awareness and participation at every echelon of command including tenant organizations. Crime prevention is more than just security; it is a responsibility for all leadership levels on an installation. Effective crime prevention requires interaction among commanders, staff, officers, NCOs, Airmen, civilian employees, dependents and community policing against the total criminal element.

13.3.1. Purpose. Installation commanders will support crime prevention in an effort to protect personnel from criminal acts by minimizing the opportunity and inclination to commit a crime. A secondary benefit of a successful crime prevention program is it serves as an excellent public relations tool for the installation and for the Air Force.

13.3.2. Staff Assets. Staff asset integration, involvement, resources and ideas are essential to the success of the program. Assets include, but are not limited to, the DFC, Mission Support Group (MSG), SJA, Installation Exercise and Evaluation Team, Base Finance, Alcohol and Drug Abuse Prevention and Treatment (ADAPT), Public Affairs (PA), Sexual Assault Prevention Officer (SAPO), Family Readiness, Army Air Force Exchange Services (AAFES), Defense Commissary Agency (DeCA), Safety Officer, Facility Managers and Civil Engineers to include the Base Housing Office.

13.3.3. Crime Prevention Program Promotion. Installation commanders should take advantage of available resources to promote the Crime Prevention Program. External news media reaches a wide audience and increases awareness of Crime Prevention and the command's emphasis. Local broadcast media, newspapers and applicable installation social media sites are two platforms available to promoting installation programs. The installation Public Affairs (PA) office manages the media engagement program and can assist in helping promote the program. Local Area Network (LAN) announcements, banners, handouts and bumper stickers are other vehicles for promoting the program. Commanders at the unit level and higher will ensure command bulletin boards contain crime prevention materials to reinforce issues and points of contact or help phone lines. Commanders will further ensure command briefs encompass crime prevention information.

13.3.4. Crime Prevention Funding. Funding crime prevention programs is the responsibility of the installation commander. The DFC will seek funding annually from the installation comptroller in support of programs. There are several other Air Force programs (drug and alcohol control counselors, Family Advocacy, Family Support Services, Sexual Assault Response Coordinator [SARC], etc.) who receive funding annually to support crime prevention programs unique to their areas of interest. Commanders and the DFC should work with such interest groups in a joint effort to promote crime prevention on the installation. (T-3)

**13.4. Program Elements.** A successful crime prevention program must be tailored to the specific needs of an installation or command. Programs will incorporate three major elements: education, prevention and enforcement. (T-3)

13.4.1. Education emphasizes providing and presenting timely, pertinent information to the community. This is accomplished through continuous and comprehensive community interaction, crime prevention awareness training (briefs, etc.), news media (installation paper and television), the internet LAN (dedicated websites) and crime prevention material (pamphlets, handouts, etc.).

13.4.2. Prevention focuses on reducing conditions conducive to criminals committing crimes against persons and property, such as maintenance of lights; demolition of old, abandoned buildings; neighborhood watch programs; and removal of abandoned vehicles. Prevention reduces the opportunity and desire to commit a crime.

13.4.3. Enforcement ensures timely detection and investigation of criminal activity, as well as the apprehension and prosecution of criminals.

**13.5. Objectives.** The primary objective of a crime prevention program is to provide effort and support which enhances Air Force resiliency and Air-Minded objectives by producing and fostering a sense of community. Objectives are accomplished by:

13.5.1. Increasing the morale and personal safety of all personnel on Air Force installations.

13.5.2. Protecting government assets and personal property from theft, misuse and unlawful destruction.

13.5.3. Reducing manpower, time and administrative costs in the investigation, pursuit and prosecution of criminal activity.

13.5.4. Achieving maximum support and involvement of the entire installation population, in association with military police and local law enforcement agencies, for crime prevention activities.

13.5.5. Ensuring crime prevention initiatives never compromise the safety and security of personnel. Conversely, properly designed safety and security programs should never compromise crime prevention efforts.

**13.6. Crime Factors.** There are three factors common to every criminal act: the desire of the criminal, the ability to commit the offense and the opportunity to commit the offense.

13.6.1. Early detection of crime leads to an increased chance of apprehending the offender and reduces the possibility of destruction of physical evidence which may be critical to the prosecution of the offender(s).

13.6.2. Crime prevention programs need to address hardening of likely targets of crime, recognition and appraisal of crime risks on the installation and an increased level of public awareness.

13.6.3. One of the most significant factors in decreasing violent crimes is reducing alcohol and drug abuse. Commanders must continue to educate Airmen on the Air Force alcohol and drug abuse policy.

**13.7. Responsibilities.** Installation commanders are responsible for developing and maintaining a Crime Prevention Program. The staff officer for the program is the DFC. Unit commanders are encouraged to develop, support and maintain their unit program described in the following paragraphs. (T-1)

13.7.1. The DFC will ensure Police Services conduct a crime prevention briefing as part of the monthly Base Orientation Briefing for all newcomers. (T-2)

13.7.2. Role of Security Forces. Security Forces role, though pivotal to crime prevention, is of an educational, technical and supportive resource--an "enabler or catalyst" rather than a "doer." The primary role of SF law enforcement is installation entry control, preventive patrol, armed response, detection and investigative services. SF also provides equally important technical services such as physical security and resource protection. Security Forces must constantly emphasize and reinforce community policing visions, values and mission within the installation by using their position to influence and educate others. They must support and articulate a commitment to community policing as the dominant way of doing business.

13.7.3. Crime Prevention Program Manager (CPPM). The crime prevention program is a function of Police Services. The DFC appoints in writing an individual to manage crime prevention functions. The DFC focuses resources based upon installation requirements. The NCOIC, Police Services Branch or CPPM, will attend course WCIP07A, *Resource Protection/Crime Prevention Theory, Practice and Management*, PDS Code 1F2. (T-1)

13.7.3.1. Considerations. Personnel selected for these positions should have top oral and written communication skills, have the flexibility to work with both young and mature groups and be willing to work varied hours. Crime prevention specialists keep direct communication with law enforcement shifts, investigations, reports and analysis and should have access to operations and command leadership.

13.7.3.2. Crime Prevention Program Manager Responsibilities. Coordinate and maintain a robust crime prevention program which includes:

13.7.3.2.1. Providing annual and quarterly crime prevention statistics, rates and trend analysis to members of the IDC; and implementing programs identified by the IDC. This information will help examine crime patterns and use the data to determine strategies for employment of crime-risk management, as well short- and long-term crime prevention, to fight local crime problems. See paragraph 13.11., Installation Crime Statistic Reports and Crime Analysis. (T-3)

13.7.3.2.2. Maintaining a current SFMIS account to pull crime prevention statistics to aid with developing rates and trend analysis on the installation. Security Forces

Investigations and Reports and Analysis will assist the CPPM with subject matter expertise with the creation of trend analysis. (T-3)

13.7.3.2.3. Providing crime trend data quarterly and annually to unit commanders, SF Operations and other interested base agencies. SF uses this information to determine selective enforcement techniques and element-level crime prevention techniques. (T-3)

13.7.3.2.4. Conducting and providing crime prevention surveys for installation organizations or personnel. See paragraph 13.10., Crime Prevention Security Surveys for Crime Prevention. (T-3)

13.7.3.2.5. Serving as a liaison with local civilian police agencies to foster and maintain a working relationship in support of a coordinated security and crime prevention effort. (T-3)

13.7.3.2.6. Conducting monthly crime prevention brief or as scheduled at the base orientation briefing for all newcomers. (T-3)

13.7.3.2.7. Providing unit crime prevention briefs as requested. (T-3)

13.7.3.3. Connection to Integrated Defense/Resource Protection Program (RPP). The Air Force Crime Prevention Program, by design, complements and works with AFI 31-101. The goals of both programs are achieved through active participation by the total Air Force community. It is vital for the CPPM to work closely with the Installation Security Section (ISS). The ISS works closely with facility managers and will help recommend crime prevention strategies for the installation to the CPPM.

13.7.3.4. Working Relationships. The CPPM will have a working relationship with AAFES and DeCA Loss Prevention Officers to ensure the program is reporting incidents to Security Forces.

13.7.4. Police Services. Police Services is responsible for maintaining a record detailing all crime prevention program activity. Using a memorandum for record (MFR), in accordance with AFH 33-337, *Tongue and Quill*, include the date, type of program, requesting command/unit/activity and attendance of other assisting agencies. (T-3)

**13.8. Community Relations/Crime Prevention Education Awareness Programs.** As a primary source of information on crime patterns, Security Forces should provide guidance to the community about prevailing kinds of crime and the specific mode of operation used by criminals. Each base has its own unique community environment and crime prevention needs. However, all base community members must be convinced of the need to protect themselves, their neighborhoods and their work areas by supporting crime prevention goals. Understand that prevention is a highly cost-effective alternative to the costs of crime to individuals, neighborhoods and communities and realize crime prevention is everyone's responsibility.

13.8.1. Community Partnerships. Community Partnerships can be used to accomplish the two interrelated goals of developing solutions to problems through collaborative problem solving and improving public trust. The public should play a role in prioritizing public safety problems. This would include assessing needs, identifying problems, establishing objectives, coordinating training and managing program implementation. It further includes providing

continuing analysis, program revision and community-wide crime prevention consultation services.

13.8.2. Community Policing. Successful community policing programs help prevent the most prevalent types of crime occurring on Air Force bases through maximum involvement of the Air Force community and SF in crime prevention activities. Participation in community projects that foster joint police and community efforts improves citizen awareness. By recognizing that police rarely can solve public safety problems alone, the community is encouraged into interactive partnerships with relevant stakeholders. The following types of programs, which the CPPM could use after determining their effectiveness and the needs of the installation, emphasize specific problems and precautions in protecting community members and their property:

13.8.2.1. Operation Crime Stop. The primary objective of this program is to encourage community members to participate in the timely reporting of imminent or crimes-in-progress. Some people will report their observations to police only when they know they can remain anonymous. Operation Crime Stop helps overcome reluctance to become involved with Security Forces by providing a single telephone line for crime reporting while allowing witnesses to remain anonymous. Operation Crime Stop provides a safe way to report suspected or actual crimes anonymously. Anonymous crime reports can include school crimes, such as persistent bullying, domestic violence, suspicious activity, threatening acts or behavior, possession of weapons and or the use or sale of illegal drugs.

13.8.2.1.1. Units with 911 systems may use this as their crime stop numbers. Units without 911 capabilities may install a dedicated Crime Stop telephone at the BDOC, capable of receiving calls from both on and off base, with a single number dedicated to Operation Crime Stop reporting. The number should be simple to remember and accessible from both government and commercial lines. Advertise the purpose of the dedicated line and the ability to remain anonymous. Distribute Operation Crime Stop reporting materials to other unit personnel and encourage their support of the program.

13.8.2.1.2. Log each Crime Stop call on an AF Form 53, *Security Forces Desk Blotter*. Begin each entry with "CRIME STOP" to aid in statistical retrieval.

13.8.2.2. Neighborhood Watch Programs. SF encounters situations calling upon us to be the eyes and ears of law enforcement. Not only does neighborhood watch allow citizens to help in the fight against crime, it is also an opportunity for communities to bond through service. This program is a vital tool used to educate the base populace about local threats on/off the installation, and to recognize and avoid situations in which they are likely to end up the victim of an assault or robbery. Helpful information to include in base programs from the National Neighborhood Watch Institute (NNWI) is located at **http://www.nnwi.org/**.

13.8.2.3. Crime Hazard Identification Program. One goal of crime prevention is to identify, report and eliminate as many crime hazards as possible, thus reducing the opportunity for crime. Security Forces and base-level crime prevention program managers may solicit and issue Crime Hazard Reports to commanders and agency chiefs

for corrective actions. Security Forces should leave a Crime Hazard Reminder when they discover unsecure vehicles, office areas, equipment or unattended property.

13.8.2.4. Citizen Awareness Program. The thrust of this program is to educate the base community on crime prevention. Base newspapers and other media are good outlets to get the word out on typical crimes, victims and offenders. The program provides prevention tips concerning crime trends and can target specific event crime prevention tips (Halloween, Christmas, etc.). Target areas include, but are not limited to:

13.8.2.4.1. Personal security on the installation.

13.8.2.4.2. Personal security while on leave and liberty.

13.8.2.4.3. Security of personal property in the barracks.

13.8.2.4.4. Quarters/home security and crime prevention.

13.8.2.4.5. Underage alcohol consumption.

13.8.2.4.6. Drinking and driving.

13.8.2.4.7. Installation and state, county and city rules, regulations and ordinances.

13.8.2.4.8. Identity theft.

13.8.2.5. Crime Prevention Month. Using all available media, this effort is directed at increasing community awareness of the crime(s) affecting the community, what people can do in the community and what resources are available to deter and reduce crime.

13.8.2.6. Military Working Dogs (MWD). MWDs are great deterrents to crime. Articles in the local news media announcing their presence and capabilities serve to increase public awareness and acceptance. Use caution when publishing precise details to avoid revealing law enforcement tactics or placing a handler and dog at risk for retaliation.

13.8.2.7. Selective Enforcement. Selective enforcement focuses SF manpower on local crime and incident problems. It is based upon accurate analysis of the time, place, type and frequency of incidents or violations. The CPPM tabulates information from complaints, reports of offenses and vehicle accidents and provides the information to operations flight leadership for patrol activity consideration.

13.8.2.7.1. A good analysis of this information will show the underlying conditions or behaviors that need to be corrected. In many instances, the information will help identify areas where selective assignment of SF will be an effective solution.

13.8.2.7.2. Before applying selective enforcement to correct issues, the analysis should consider whether other solutions would be more effective. Example, analysis may show that using Crime Prevention Through Environmental Design (CPTED), such as trimming shrubbery around facilities or improving area lighting in an area, may help harden the facility against crime. Another method that has proven to be effective is to post SF patrols at major traffic avenues to show police presence, such as in areas where speeding is at a reported increase. Using these methods and many others could be the best way to reduce crime incident numbers.

13.8.2.8. Develop and implement a media campaign to publicize the base crime prevention program, prevailing crime problems and effective counter measures to these

problems. Crime prevention awareness/education information will be presented on a monthly basis to the base population via available news media. The installation's PA office can help assist in the dissemination of material through installation sources.

13.8.2.9. Conduct speaking engagements to promote crime prevention goals. Use Commander's Calls, First Sergeant Briefs, social activities, youth gatherings, spouses' club meetings, school visitations, etc.

13.8.2.10. Assist in formulating youth activity programs and selecting volunteers to act as youth leaders and advisors in youth programs. These types of programs will actively involve youths and educate them to deter from criminal behavior; for example, Drug Abuse Resistance Education (DARE), Drug Education for Youth (DEFY) and youth camps.

13.8.2.11. Conduct on-base residential, dormitory and work area crime prevention surveys for occupants and organizations.

13.8.2.12. Request and distribute crime prevention literature and forms to promote crime prevention programs.

13.8.2.13. Maintain close liaison with civilian organizations and authorities on crime prevention programs. Where possible, set up joint programs to promote military and civilian community involvement and combat mutual crime problems. Participate in local, state and federal crime prevention activities that benefit military communities.

13.8.2.14. Encourage unit commanders to establish crime prevention programs within their unit and suggest they designate a focal point to coordinate program activities within the unit.

**13.9. National Crime Prevention Programs.** There are a number of crime prevention programs available to commanders and CPPMs. National, state and local programs (National Crime Prevention Council, state crime prevention offices, etc.) offer further guidance and information. Commanders and CPPMs are encouraged to use all available assets to supplement the program including installation specific designs. Installation commanders and Police Services need to design their education and awareness programs around the specific needs of their military community. Proven programs include:

13.9.1. National Crime Prevention Council (NCPC). The NCPC is a nonprofit organization that acts as an advocate for crime prevention policies and programs throughout the nation. Its mission is to be the nation's leaders in helping people keep themselves, their families and their communities safe from crime. The NCPC was founded in 1982 to manage The National Citizens' Crime Prevention Campaign, McGruff the Crime Dog and to administer the Crime Prevention Coalition of America (CPCA). NCPC granted authorization to the USAF to reproduce NCPC-copyrighted material. Security Forces may adopt elements of the national program to meet local needs. For further information, contact the National Crime Prevention Council, 2001 Jefferson Davis Highway Suite 901, Arlington VA, 22202, (202) 466-6272 or **www.ncpc.org**. NCPC manages the day-to-day activities of the public service advertising campaign by providing the following services to coalition members:

13.9.1.1. Develops publications and teaching materials on a variety of topics about crime prevention.

13.9.1.2. Offers a number of programs that can be implemented in communities and schools. Programs such as Be Safe and Sound in School; Crime Prevention Month (October); McGruff Club; and Teens, Crime and the Community are examples.

13.9.1.3. Conducts local, regional and national training in crime prevention skills and techniques.

13.9.1.4. Provides public service announcements broadcast nationwide starring McGruff the Crime Dog.

13.9.1.5. Supports national coalition of crime prevention practitioners.

13.9.2. The Crime Prevention Coalition of America (CPCA)**.** The CPCA is a nonpartisan group of national, state, federal and community-based organizations united to promote citizen action to prevent crime. The USAF is one of the original members of this broad-based, interdisciplinary group whose members represent youth development organizations, municipalities, law enforcement agencies, federal and state government representatives, state crime prevention associations and community-based groups.

13.9.3. National Night Out. The National Night Out campaign involves citizens, law enforcement agencies, civic groups, businesses and local officials. National Night Out has proven to be an effective, inexpensive and enjoyable way to promote neighborhood spirit and police-community partnerships. Along with traditional tactical equipment displays, block parties and other activities, turning on outdoor and porch lights is symbolic of the community's effort to fight crime and support local law enforcement.

**13.10. Crime Prevention Security Surveys.** Crime Prevention Security Surveys (CPSS) are conducted to identify the nature, extent and underlying causes of criminal activity or conditions conducive to criminal activity within an area or a specific facility. A CPSS is an analysis to identify conditions that may indicate the presence of or potential for criminal conduct. CPSSs recommend corrective action to a commander or personnel to reduce the opportunity for crime.

13.10.1. Residential, Commercial and Industrial CPSSs. Security Forces units may establish a program to offer CPSSs to residents of base housing, dormitories and to units of activities not normally inspected or surveyed under the resource protection program. These CPSSs educate personnel on how to protect themselves and their property. The CPSS is a critical analysis of the physical protection of the facility. Coordinate CPSSs with ISS, SF Investigations and AFOSI when done as part of the RPP and Force Protection program. When feasible, the CPPM should use help from SF law enforcement patrols who normally patrol the area.

13.10.2. CPSSs will be scheduled with the responsible organization or individual. Organizations will assign an individual or the requesting individual will be available to assist the CPPM during the course of the CPSS.

13.10.3. CPSSs will be completed using the CPSS checklist posted on the Security Forces website or any local agency CPSS, so long as it meets or exceeds the CPSS checklist. The CPSS checklist is used to incorporate all observations, findings and recommendations noted during the CPSS. Use the IN TURN Memo, **Attachment 11**, for a final report; an example is also provided on the Security Forces website for an Industrial Survey. Once the report is completed, the CPPM will ensure all agencies involved, to include the DFC, AFOSI, SF

Investigations, Safety Officer, Fire Chief, ISS and the requester, are provided a copy. CPSSs will be conducted at the following facilities as needed or requested:

13.10.3.1. Enlisted/Officer Quarters, On-Base Housing and Privatized Housing.

13.10.3.2. Government facilities that maintain negotiable instruments (cash, checks, etc.).

13.10.3.3. Facilities designated by the installation commander.

13.10.3.4. Facilities requested by unit commanders, at the discretion of the DFC.

13.10.3.5. Tenant organizations such as banks, credit unions and concessionaires, as noted in the installation/organization Memorandum of Agreement (MOA).

**13.11. Installation Crime Statistic Reports (ICSR) and Crime Analysis.** Crime analysis is a systematic, analytical process that provides information regarding crime trends and patterns on the installation. An effective crime prevention program requires a systematic approach. Crime analysis identifies target areas for increased crime prevention efforts. Crime prevention action should be grounded in research, tested approaches and aided by evaluation.

13.11.1. The most commonly used process for supporting and maintaining crime analysis is crime mapping. Crime mapping involves the use of color-coded pins to identify specific crimes. A crime is plotted on an installation map at the location of the crime. To produce accurate and effective crime analysis using crime mapping, there are three factors to consider: the purpose of the map, the audience of the map and types of data to include in the map.

13.11.1.1. The goal of crime mapping is to identify problem areas on the installation that require increased crime prevention efforts. These efforts may include additional SF patrols, increased education or command attention. Crime mapping provides a visual media that isolates problem areas and may be included in the plan of action to reduce criminal activity in the area. Crime mapping must be maintained in order to be effective.

13.11.1.2. Automated software applications are available for crime mapping. Some of the systems may be used in conjunction with a Global Positioning System (GPS).

13.11.2. Statistical law enforcement reports are the foundation for analyzing violation and enforcement problems. The statistical analysis provides information for program planning, program changes and management decisions that can have a positive result on violation prevention, vandalism, theft, resource damage and public protection.

13.11.3. ICSR will be pulled no later than 1 February of the following calendar year for the 1 January to 31 December annual report and will be pulled the first month of the prior quarter for quarterly reports. This report will be cumulative in nature, and its information used for the quarterly/annual briefings with the IDC, DFC and Security Forces. (T-2)

13.11.4. Police Services will maintain ICSRs for the installation commander, DFC or other agencies upon request. All criminal offenses brought to the attention of unit commanders on Air Force installations will be reported to Security Forces for appropriate action. (T-2)

13.11.5. ICSRs will be submitted on a SFMIS report or the AF Form 4443, *Law Enforcement and Physical Security Activities Report (LEPSAR),* (located on SMARTNet) SFMIS will be used to query statistics for the requested time periods. Instructions for pulling

queries can be located on the SFMIS Web Training Site. Reports will be retained by the unit program manager in accordance with the Air Force Records Information Management System (AFRIMS) as Security Police Activities Reports. (T-2)

13.11.6. CPPM will compile statistical data and generate one annual report on all criminal activity. From this report, Police Services initiatives can be implemented and will assist to help installation commanders reduce crime.

**13.12. Filing and Release of Law Enforcement Records.** Administer all law enforcement records in accordance with AFI 33-332, *Air Force Privacy Program*.

**13.13. Armed Forces Disciplinary Control Board (AFDCB).** Installation commanders will establish and maintain an installation AFDCB IAW AFJI 31-213, *Armed Forces Disciplinary Control Boards and Off-Installation Liaison and Operations.* The board will meet quarterly to identify establishments/areas in local communities that are detrimental to the well-being of military members. The board will coordinate and exchange information with other services' installations in the area. Board results will be published and disseminated to keep all military members informed. Unit commanders must brief their personnel and post the AFDCB findings in conspicuous locations.

## Chapter 14

## LESSONS LEARNED (L2) AND AFTER ACTION REPORTS (AARS)

**14.1. Security Forces Lessons Learned.** The L2 process exists to enhance readiness and improve combat capability by capitalizing on the experiences of Airmen. It is vital for the current and future operational capability of the career field that a robust process for L2 exists within SF and that it retains command focus at all levels. SF is a large, dynamic career field that undertakes a wide range of operations to counter a number of sophisticated threats. It is essential that all SF ensure that any deficiencies be identified immediately and are raised and disseminated so that action can be taken to mitigate them across the Air Force. L2 are observations that, when validated and resolved, result in an improvement in military operations or activities at the strategic, operational or tactical level and result in long-term, internalized change to an individual or an organization. (T-3)

**14.2. Security Forces L2 Responsibilities.**

14.2.1. The AF/A7S Director has overall authority for the Air Force Security Forces L2 Program. The Director provides L2 guidance and represents the SF career field at the annual L2 General Officer Steering Group. (T-3)

14.2.2. HQ Air Force Security Forces Center (AFSFC) serves as the AF/A7S L2 program manager. The AFSFC will manage and share SF-related L2 issues with AF/A9L, MAJCOMs, NAFs, DRUs, 422d Joint Tactics Squadron, other members of the law enforcement community and DoD L2 organizations. It will follow and provide L2 guidance and information to SF in accordance with AFI 90-1601, *Air Force Lessons Learned Program*. (T-3).

14.2.3. The AFSFC Strategic Planning Cell (SPC) provides administrative, tasking and resource support to the AFSFC for L2. All MAJCOM A7S staffs will ensure that courtesy copies of all observations/After Action Reports (AARs) are forwarded to SF L2, **afsfc.sfp@us.af.mil** or **sf.lessonslearned@lackland.af.smil.mil.** SPC will act as the central repository for all SF L2 and as the primary Gatekeeper for data entry and management into the Joint Lessons Learned Information System (JLLIS) for the SF career field. SPC will validate, disseminate and resolve/track all L2-related observations. This will allow the SF career field to achieve quality solutions in a timely manner with maximum visibility in a way that offers maximum ease of use to the career field by centralizing the process within the AFSFC. Once an action has been resolved, SPC will initiate closeout actions in JLLIS and publish the results as appropriate (e.g., in a monthly newsletter, Community of Practice and/or SMARTNet). This does not impede the MAJCOMs' or an individual's ability from entering information into JLLIS. (T-3)

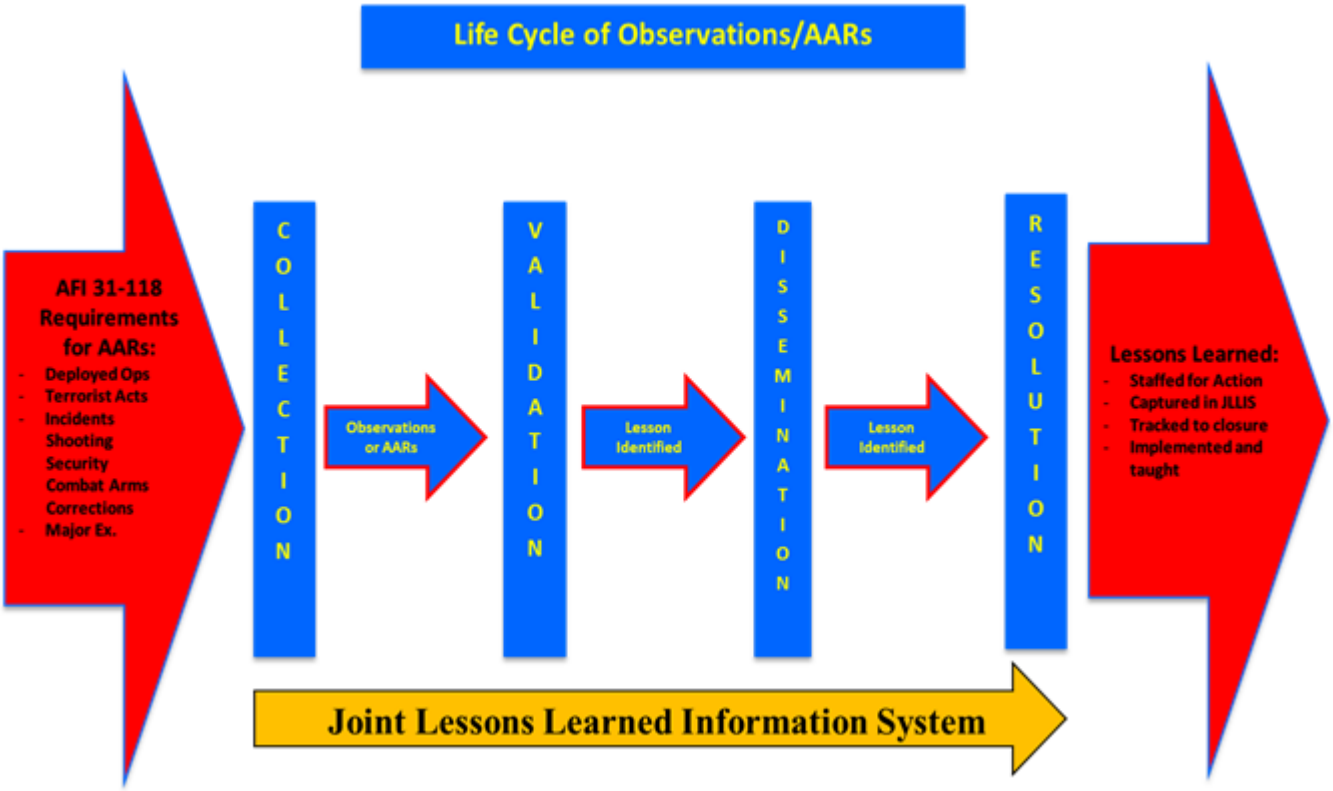
14.2.3.1. JLLIS is the automated solution supporting implementation of the Chairman's Joint Lessons Learned Program (JLLP) IAW guidelines established in CJCSM 3150.25, *Joint Lessons Learned Program*. JLLIS facilitates the collection, tracking, management, sharing, collaborative resolution and dissemination of L2 to improve the development and readiness of the Joint Force. The validated information contained in this database enables actionable Doctrine, Organization, Training, Materiel, Leadership and Education, Personnel and Facilities (DOTMLPF) and Policy changes to improve joint and combined

warfighting capabilities. JLLIS is the system of record for the DoD and the JLLP. JLLIS is the only vehicle used to implement the Air Force Lessons Process (AFLP). (T-0)

14.2.3.2. Lessons Learned may be found and entered into the JLLIS web sites at **https://www.jllis.mil/USAF** (NIPRNET) or **http://www.jllis.smil.mil/USAF** (SIPRNET).

14.2.4. The L2 process is not intended to bypass the chain of command. L2 is a command responsibility. Figure 1.1. depicts the L2 Process. Commanders will ensure L2 collection processes are established and implemented at the unit level. DFCs, SF/CCs and Joint Expeditionary Tasked (JET) team leaders (e.g., Tactical Security Elements, Police Training Teams, etc.) will ensure observations/AARs are captured from major operations, contingencies, key exercises, experiments and other significant events and topics identified by leadership. Refer to paragraph 14.4. for a detailed list of when observations and AARs will be submitted. (T-3)

**Figure 14.1. L2 Process.**




## 14.3. After Action Report (AAR).

14.3.1. The primary vehicle for identifying observations and potential Lessons Identified is the AAR. Timely submissions of AARs (and individual observations which comprise them) are a command responsibility. (T-3)

14.3.2. The AAR is a consolidated report that includes an executive summary covering the event information (e.g., dates, locations and participants) together with observations which could result in improvements in military operations. AARs enable deploying Airmen to

benefit from reports submitted by those who have gone before and help the Airmen fight a smarter more capable fight. (T-3)

**14.4. AAR Submission Timelines.**

14.4.1. Unless otherwise stated, AARs will be submitted within 30 days of the event to which it refers. In addition to submitting AARs up the chain-of-command, a copy of all AARs and observations will be forwarded to AFSFC/SPC at NIPR address: **afsfc.sfp@us.af.mil** or SIPR address: **Sf.lessonslearned@lackland.af.smil.mil.** **(T-3)**

14.4.2. AARs will be submitted by DFCs, SF/CCs, JET team leaders or SNCOs responsible under the following circumstances: **(T-3)**

14.4.2.1. Deployed Operations. At a minimum, submit two AARs: the initial AAR will be submitted 45 days into the deployment and the final AAR will be submitted 15 days prior to the end of the deployment. The initial AAR should focus on those urgent items which can positively impact pre-deployment training and/or the deployment process for follow-on forces. (T-3)

14.4.2.2. During Operations. Within 3 days of an SF mission encompassing an engagement or incident where a significant change in enemy TTPs has been encountered, or within 5 days of identifying any equipment shortcomings or communication equipment problems. In addition to submitting AARs up the chain-of-command and to AFSFC, also forward a copy to the 422 JTS at NIPR address: **422jts.ttp@us.af.mil** or SIPR address: **422jts.ttp@mcguire.af.smil.mil.** **(T-3)**

**14.5. Required Reporting.**

14.5.1. The following list of incidents requires AARs. This list is not all encompassing as other situations will arise for which an AAR will need to be accomplished. (T-3)

14.5.1.1. Terrorist Acts. Terrorist attacks at an Air Force base or its resources, bombings/rocket attacks and significant threats from known terrorist groups.

14.5.1.2. Shooting Incidents. Any peacetime government firearms discharge meeting the reporting requirements outlined in AFI 31-117, *Arming and Use of Force by Air Force Personnel*. Report all instances where SF used deadly force in the performance of their duties.

14.5.1.3. Security Incidents. This category of serious security incidents includes, but is not limited to, unlawful entry to aircraft, sabotage or attempted sabotage to AF aircraft, a breach of aircraft security, acts of vandalism directed at AF priority resources, hijacking or attempts, unauthorized entry into a launch facility, damage to aircraft and robberies or attempted robberies involving weapons, munitions or large sums of money.

14.5.1.4. Military Corrections Incidents. Inmate escapes and inmate disturbances or riots, and inmates that experience serious injury while in custody.

14.5.1.5. Combat Arms or Training Incidents. Unusual combat arms/training incidents that result in death or injury to participants or bystanders. Catastrophic damage has occurred to equipment, weapons or facilities during Combat Arms Operations or Training Exercises. Damage occurred by natural causes does not relieve the reporting requirements

if negligence by individual(s) contributed to the damage. Any incident involving weapons when an accidental/negligent discharge has taken place.

14.5.1.6. Miscellaneous. This category provides an avenue for an installation DFC to analyze and report any incident that may be of educational value for the SF career field. Examples of the types of incidents would be domestic disturbance response; loss of an SF weapon; base defense training accident; death of an SF member; injury of an SF member while making an apprehension; SF response to a potential suicide; and use of electronic control devices, e.g., TASERS, etc.

14.5.2. Security Classification. The overall classification of the AAR must be identified as well as the classification of each paragraph IAW AFI 31-401, *Information Security Program Management*. (T-3)

14.5.3. **Attachment 13**, "SECURITY FORCES LESSONS LEARNED/AAR FORMAT" describes what information is required on the AAR. Organizations may use **Attachment 14**, AF IMT Form 4329, AF Observation, Issue or Lessons Learned (for use on the NIPRNET); AF IMT 4329A, AF Observation, Issue or Lessons Learned (for use on the SIPRNET); or **Attachment 15**, AF IMT 4330, After Action Summary Report (for use on the NIPRNET), to record their observations and e-mail them directly to the appropriate L2 office within their MAJCOM and AFSFC. All forms are available online at **http://www.e-publishing.af.mil**. **(T-3)**

## Chapter 15

## SECURITY FORCES SYSTEMS AND ADMINISTRATION

**15.1. Security Forces Management Information System (SFMIS).** SFMIS is the system used by SF to meet Defense Incident-Based Reporting System (DIBRS) reporting requirements. The system has the ability to store and recall case reporting, generate Suspension/Revocation/Debarment (SRB) Rosters, track and report individuals in the AF confinement system, provide Combat Arms weapons qualification data/history, individual weapons records and armory inventory features. The use of SFMIS is mandatory; however, the Pass and Registration feature is optional. SF units at AF supported Joint Bases should make every attempt to comply with DIBRS reporting within SFMIS when possible.

**15.2. Defense Biometric Identification System (DBIDS).** DBIDS is a DoD-owned and -operated system developed by Defense Manpower Data Center (DMDC) as a force protection program to manage personnel and access at DoD installations. It is a networked client/server database system designed to easily verify the access authorization of personnel entering military installations by the use of barcode, contactless and fingerprint biometric technology. The program supports the adding, retrieving, updating and displaying of information for individuals who require military installation access. The DBIDS software application is used to enter personnel data into a database, capture biometric information and retrieve that data and biometric information for verification and validation at a later time. DBIDS enhances the military law enforcement mission to provide a safe and secure community through the electronic interrogation of access credentials which provides positive identification of individuals requesting access to the installation. DBIDS is the Physical Access Control System (PACS) of choice for the USAF. The use of DBIDS is mandatory.

**15.3. National Law Enforcement Terminal System (NLETS) and National Crime Information Center (NCIC).** NLETS/NCIC are non-DoD systems used by SF as authoritative databases for criminal investigations. HQ AFOSI is the executive agent for the USAF, but CONUS bases will normally gain access to the system through their respective state.

**15.4. Security Forces Administration.** SF units create a large amount of reporting for a myriad of incidents and accidents. The system mentioned above and the forms briefly explained below are the lynch pin to the administrative process for SF work.

**15.5. Security Forces Forms**

15.5.1. AF Form 52, *Evidence Tag.* Use this two-part form to record evidence and maintain a chain of custody.

15.5.2. AF Form 53, *Security Forces Desk Blotter.* Use this form to record a chronology of SF activities during a shift. AF Form 53 often contains sensitive investigative or Privacy Act information and must be controlled. Refer to AFI 31-120, *Security Forces Systems and Administration,* for instructions on distribution.

15.5.3. AF Form 75, *Visitor Pass*. A pass issued to visitors of installations. The AF Form 75 is generally computer generated in SFMIS.

15.5.4. AF Form 1109, *Visitor Register Log.* Provides a log of visitors/and or personnel entering areas which the entry and/or exit is controlled.

15.5.5. AF Form 1168, *Statement of Suspect/Witness/Complainant*. Use this form to take a written statement from a suspect or accused person, witness or complainant. Also, the AF Form 1168 is used to advise an individual of their Article 31/Fifth Amendment rights.

15.5.6. AF Form 1176, *Authority to Search and Seize*. Use this form to obtain authorization to search and seize per Chapter 8.

15.5.7. AF Form 1313, *Driver Record*. Use this form as a cumulative traffic record (driving history) for drivers who are principals in motor vehicle traffic accidents or moving traffic violations IAW AFMAN 31-116, *Air Force Traffic Supervision Program.*

15.5.8. AF Form 1315, *Accident Report*. Use this form to record investigations of major traffic accidents (refer to AFMAN 31-116).

15.5.9. AF Form 1361, *Pick Up/Restriction Order*. Use this form to record facts and provide SF with information about pick-up orders or to place a restriction order on a military member.

15.5.10. AF Form 1364, *Consent for Search and Seizure*. Use this form to document when an individual consents freely and voluntarily to a search of his/her person or property.

15.5.11. AF Form 3226, *Authority to Apprehend in Private Dwelling*. Use this form when acquiring authority to make an apprehension in a private on-base dwelling.

15.5.12. AF Form 3907, *Security Forces Field Interview Data.* Use this form to collect information on suspicious people or individuals contacted during routine operations who do not require any other administrative action.

15.5.13. DD Form 460, *Provisional Pass*. Use this form to assist military members in returning to their unit.

15.5.14. DD Forms 2708 and 2708 PA, *Receipt for Prisoner or Detained Person*. Use this form to transfer prisoners between confinement facilities or to release a detained person to his or her unit commander or representative.

15.5.15. AF Form 3545 and 3545A, *Incident Report*. The use of the AF Form 3545A is mandatory for all incidents which are reportable under the Defense Incident Based Reporting System (DIBRS). For additional information, refer to AFI 31-203, *Security Forces Management Information System (SFMIS).* Use this form to record facts about an incident or complaint for the proper military authority. Include in the report all available facts, names of personnel involved and a summary of the initial on-scene investigation.

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DCS/Logistics, Installations & Mission Support

**(ELLSWORTH)**

GENTRY W. BOSWELL, Colonel, USAF
Commander, 28th Bomb Wing

## Attachment 1

## GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

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Title 18, United States Code, Section 1385

Title 18 United States Code, Section 3401 (a)

Title 18 United States Code, Section 5032

Title 42 United States Code - Public Health and Welfare

Uniform Code of Military Justice (UCMJ)

**Forms Prescribed**

AF Form 52, *Evidence Tag*

AF Form 53, *Security Forces Desk Blotter*

AF Form 75, *Visitor Pass*

AF Form 1109, *Visitor Register Log*

AF Form 1168, *Statement of Suspect/Witness/Complainant*

AF Form 1176, *Authority to Search and Seize*

AF Form 1315, *Accident Report*

AF Form 1361, *Pick Up/Restriction Order*

AF Form 1364, *Consent for Search and Seizure*

AF Form 3545, *Incident Report*

AF Form 3545A, *Incident Report (SFMIS generated)*

AF Form 4443, *Law Enforcement and Physical Security Activities Report (LEPSAR)*

**Forms Adopted**

AF Form 523, *USAF Authorization to Bear Firearms*

AF Form 847, *Recommendation for Change of Publication*

AF Form 1313, *Driver Record*

AF Form 1800, *Operator's Inspection Guide and Trouble Report*

AF Form 3226, *Authority to Apprehend in a Private Dwelling*

AF Form 3907, *Security Forces Field Interview Data*

AF Form 4329, *AF Observation, Issue or Lessons Learned (for use on the NIPRNET)*

AF Form 4329A, *AF Observation, Issue or Lessons Learned (for use on the SIPRNET)*

AF Form 4330, *After Action Summary Report (for use on the NIPRNET)*

DD Form 460, *Provisional Pass*

DD Form 2708, *Receipt for Prisoner or Detained Person*

FD-249, *Criminal Fingerprint Card*

Form R-84, *Final Disposition Report*

***Abbreviations and Acronyms***

**AAFES**—Army Air Force Exchange Services

**(Added-ELLSWORTH) 28 SFS/S5R**—28th Security Forces Squadron Reports and Analysis

**(Added-ELLSWORTH) 28 SFS/S3**—28th Security Forces Squadron Operations

**(Added-ELLSWORTH) 28 SFS**—28th Security Forces Squadron

**(Added-ELLSWORTH) 28 MSG/CD**—28th Mission Support Group Deputy Commander

**(Added-ELLSWORTH) 28 MSG/CC**—28th Mission Support Group Commander

**(Added-ELLSWORTH) 28 SFS/CC**—28th Security Forces Squadron Commander

**(Added-ELLSWORTH) 28 MDOS/SGOW**—28th Medical Operations Squadron Mental Health Clinic

**(Added-ELLSWORTH) 28 BW/CC**—28th Bomb Wing Commander

**AAR**—After Action Report

**ABU**—Airman Battle Uniform

**ACC**—Air Combat Command

**ADAPT**—Alcohol and Drug Abuse Prevention and Treatment

**AF/A7S**—Headquarters Air Force Director of Security Forces

**AFDCB**—Air Force Disciplinary Control Board

**AFH**—Air Force Handbook

**AFI**—Air Force Instruction

**AFISRA**—Air Force Intelligence, Surveillance and Reconnaissance Agency

**AFJI**—Air Force Joint Instruction

**AFLETS**—Air Force Law Enforcement Terminal System

**AFLP**—Air Force Lessons Process

**AFL2P**—Air Force Lessons Learned Program

**AFMAN**—Air Force Manual

**AFPD**—Air Force Policy Directive

**AFOSI**—Air Force Office of Special Investigations

**AFRC**—Air Force Reserve Command

**AFSC**—Air Force Specialty Code

**AFSFC**—Air Force Security Forces Center

**AFSFC/SFXR**—Headquarters Air Force Security Forces Center/Requirements Branch

**AFSFC/SPC**—Headquarters Air Force Security Forces Center/Strategic Planning Cell

**AT**—Antiterrorism

**ATF**—Bureau of Alcohol, Tobacco and Firearms

**AFVA**—Air Force Visual Aid

**ANG**—Air National Guard

**BDOC**—Base Defense Operations Center

**BDU**—Battle Dress Uniform

**BOLO**—Be On the Look Out

**BSZ**—Base Security Zone

**CATM**—Combat Arms Training and Maintenance

**CC**—Commander

**CCH**—Computerized Criminal History

**CFETP**—Career Field Education and Training Plans

**CJIS**—Criminal Justice Information System

**CLEA**—Civilian Law Enforcement Agencies

**CoC**—Chain of Command

**CODIS**—Combined DNA Index System

**COMSEC**—Communications Security

**CONUS**—Continental United States

**CP**—Civilian Police

**CPCA**—Crime Prevention Coalition of America

**CPPM**—Crime Prevention Program Manager

**CPR**—Cardiopulmonary Resuscitation

**CPSS**—Crime Prevention Security Surveys

**CPTED**—Crime Prevention Through Environmental Design

**CSF**—Chief of Security Forces

**CV**—Vice Commander

**DAF**—Department of the Air Force

**DARE**—Drug Abuse Resistance Education

**DBIDS**—Defense Biometric Identification System

**DCII**—Defense Clearance and Investigations Index

**DCIO**—Defense Criminal Investigation Organizations

**DECA**—Defense Commissary Agency

**DFC**—Defense Force Commander

**DF**—LCS—Defensor Fortis Load Carrying System

**DHS**—Department of Homeland Security

**DIBRS**—Defense Incident Base Reporting System

**DNA**—Deoxyribonucleic Acid

**DoD**—Department of Defense

**DoDD**—Department of Defense Directive

**DOS**—Department of State

**DRU**—Direct Reporting Units

**DSN**—Defense Switch Network

**DWI**—Driving While Intoxicated

**(Added-ELLSWORTH) EAFB**—Ellsworth Air Force Base

**ECC**—Emergency Control Center

**EM**—Emergency Management

**Email**—Electronic Mail

**ESF**—Emergency Support Function

**EST**—Emergency Services Team

**eTTPG**—Electronic Tactics, Techniques & Procedures Guide

**EWCB**—Equipment Weapons Configuration Board

**FBI**—Federal Bureau of Investigation

**FCC**—Federal Communications Commission

**FD**—Federal Document

**FEMA**—Federal Emergency Management Agency

**FPCON**—Force Protection Condition

**GPS**—Global Positioning System

**HNT**—Hostage Negotiation Team

**HQ AFLOA/JAJM**—Headquarters Air Force Legal Operation Agency/Military Justice Division

**IAFIS**—Integrated Automated Fingerprint Identification System

**ICSR**—Installation Crime Statistics Report

**ID**—Integrated Defense

**IDP**—Integrated Defense Plan

**IDC**—Integrated Defense Council

**IDRMP**—Integrated Defense Risk Management Process

**IDWG**—Integrated Defense Working Group

**III**—Interstate Identification Index

**(Added-ELLSWORTH) IJCP**—Installation Juvenile Corrections Program

**ISR**—Intelligence, Surveillance and Reconnaissance

**(Added-ELLSWORTH) JCB**—Juvenile Corrections Board

**(Added-ELLSWORTH) JCO**—Juvenile Correction Officer

**JCS**—Joint Chiefs of Staff

**JLLIS**—Joint Lessons Learned Information System

**LAN**—Local Area Network

**LoAC**—Law of Armed Conflict

**LMR**—Land Mobile Radio

**MAJCOM**—Major Command

**METL**—Mission Essential Task Lists

**MCM**—Manual for Courts-Martial

**MOA**—Memorandum of Agreement

**MOU**—Memorandum of Understanding

**MRE**—Military Rules of Evidence

**MWD**—Military Working Dog

**NAF**—Numbered Air Force

**NCIC**—National Crime Information Center

**NLETS**—National Law Enforcement Terminal System

**NCO**—Noncommissioned Officer

**NCOIC**—Noncommissioned Officer in Charge

**NCPC**—National Crime Prevention Council

**NLW**—Nonlethal Weapon

**OCONUS**—Outside of Continental United States

**OPR**—Office of Primary Responsibility

**ORI**—Originating Agency Identifier

**OSHA**—Occupational Safety and Health Agency

**PA**—Public Affairs

**PCCIE**—Power Conditioning and Continuation Interfacing Equipment

**POTUS**—President of the United States

**RCM**—Rules for Courts-Martial

**ROE**—Rules of Engagement

**ROI**—Report of Investigation

**RPP**—Resource Protection Program

**SAPO**—Sexual Assault Prevention Officer

**SARC**—Sexual Assault Response Coordinator

**SECAF**—Secretary of the Air Force

**SF**—Security Forces

**SFOA**—Status of Forces Agreement

**SJA**—Staff Judge Advocate

**SME**—Subject Matter Expert

**SNCO**—Senior Noncommissioned Officer

**SOP**—Standard Operating Procedures

**SSN**—Social Security Number

**STS**—State Terminal System

**TA**—Table of Allowance

**TACON**—Tactical Control

**TDY**—Temporary Duty

**TO**—Technical Order

**TOA**—Table of Allowances

**TTP**—Tactics, Techniques and Procedures

**UCMJ**—Uniform Code of Military Justice

**US**—United States

**USACID**—United States Army Criminal Investigation Division

**USACIL**—United States Army Criminal Investigations Laboratory

**USAF**—United States Air Force

**USAFR**—United States Air Force Reserve

**USC**—United States Code

**UTC**—Unit Type Code

**USSS**—United States Secret Service

***Terms***

**Access Control**—A principle of environmental design; effective access control prevents unauthorized entry into protected areas.

**Active**—A status of a Lesson Identified indicating that the lesson is currently being worked to resolution by an OPR.

**Activity Support**—A principle of environmental design; activity support involves placing activity where the individuals engaged in that activity will become part of the "natural surveillance" system. An example of activity support is the installation of recreational facilities and playgrounds in residential areas within observation of kitchen windows.

**After Action Report (AAR)**—The AAR is a consolidated report that includes an executive summary covering the event information (e.g., dates, locations and participants) and observations. Observations to be documented are those which result in improvements in military operations. AAR observations should describe how the mission could be/was improved, potential risks to mission degradation and how to mitigate those risks.

**Air-mindedness**—USAF SF Air-mindedness is a distinctive approach developed through doctrine, training and experience. We understand how air bases operate and how its personnel conduct their air, space and cyberspace missions. We understand how airpower missions add value to Joint and Coalition Commanders and the assets that conduct these missions are most vulnerable on the ground. Our air-minded approach and expertise enable the best possible delivery of Integrated Defense effects to mitigate airpower vulnerabilities on the ground.

**Apprehension**—Apprehension is the taking of a person into custody. Any officer, warrant officer, noncommissioned officer (NCO) or other person designated by proper authority to perform guard, police or criminal investigation duties may apprehend a violator.

**Arrest**—In military terminology, arrest is the restraint of a person by oral or written order, not imposed as punishment, directing the person to remain within specified limits. Distinguish from the civilian concept of "arrest."

**Collection**—Collection is a method by which observations enter the AFLP and involves formal and informal methods. Observations can be "pulled" into the process through formal collection efforts or they can be "pushed" into the process by organizations, units and individual Airmen. In a learning culture, every Airman, civilian and contractor contribute to the AFLP.

**Crime Prevention Through Environmental Design (CPTED)**—This concept recognizes that by applying four principles – Natural Surveillance, Territoriality, Access Control and Activity Support – to the design of quarters, structures, storage areas, parking lots and other areas, a safer environment can be created. Examples include increased security lighting and strategic use of symbolic barriers at likely crime targets and the incorporation of security concerns in the initial design of new facilities.

**Custody**—The restraint of free movement following apprehension. An apprehension occurs when an SF member clearly notifies a suspect that the suspect is in custody. Protect the health and welfare of all apprehended suspects. Once a suspect is in custody, the Security Forces member is responsible for their safety.

**Desk Blotter**—A 24 hour, chronological record of significant events during an SF tour of duty.

**Detention**—SF personnel may detain individuals while determining if a crime was committed and who was involved. While detained subjects are not free to leave and may have their movements restricted, they are not considered to be in custody or under apprehension. Detention time must be limited to a reasonable time necessary to determine if a crime was committed and if the detained individual was involved. Detained individuals cannot be transported from one place to another during their detention.

**Dissemination**—Dissemination is the distribution of Lessons Identified to organizations for action, along with making lessons available for wider use. The goal of dissemination is to get lessons to decision makers when needed to make more informed decisions.

**Duress**—Threats, violence, constraints or other action brought to bear on someone to do something against their will.

**Evidence**—Something legally submitted in a legal proceeding to ascertain the truth of a matter.

**Jurisdiction**—The power, right or authority to interpret and apply the law. Refer to paragraph 7.1. for further description of military jurisdiction.

**Juvenile**—A "juvenile" is a person who has not attained his or her eighteenth birthday unless the individual is an active duty service member.

**Lesson Identified**—A validated observation that represents a matter (e.g., capability, concept, process, procedure) to be sustained, improved or developed. A Lesson Identified contains a better way to accomplish a mission or task for learning by a broader organization.

**Lesson Learned**—An insight gained that improves military operations or activities at the strategic, operational or tactical level and results in long-term, internalized change to an individual or an organization.

**Natural Surveillance**—A principle of environmental design; natural surveillance is based upon the fact that most criminals do not want to be observed while committing crimes. Areas should be designed so that they are more easily observed by base quarter's residents, housing neighborhood occupants or base employees.

**Observation**—An input from any source into the AFLP. Observations contain information regarding specific events, activities, circumstances or outcomes and should include sufficient factual and contextual information to support their validation.

**Plain View Doctrine**—The rule that a law enforcement officer may seize objects which are in plain view if they have probable cause to believe the item is contraband or evidence of a crime. The law enforcement officer must be in the course of otherwise lawful activity and observe the property or evidence in a reasonable fashion. It is an exception to the requirement for a search warrant/authorization.

**Physical Restraint**—The loss of free movement that results from being taken into custody. SF members must use the minimum force necessary needed to make an apprehension. The use of force depends upon whether the offender submits to the apprehension and must remain proportional to the level of resistance encountered.

**Resolution**—Process to ensure Lessons Identified are staffed for action. Resolution actions should be captured in JLLIS or appropriate documents and tracked to closure.

**Search**—An examination of a person, property or premises to uncover evidence of a crime or criminal intent.

**Subject**—A person, of which credible information exists that would cause a reasonable person to suspect the person may have committed a criminal offense or otherwise make a person the object of a criminal investigation.

**System of Record (SoR)**—An information storage system (commonly implemented on a computer system), which is the authoritative data source for a given data element or piece of information. The need to identify systems of record can become acute in organizations where management information systems have been built by taking output data from multiple source systems, re-processing this data and then re-presenting the result for a new business use. Where the integrity of the data is vital, a data element must either be linked to or extracted directly from its system of record. The integrity and validity of any data set is open to question when there is no traceable connection with a known System of Record.

**Territoriality**—A principle of environmental design; territoriality recognizes that humans will take more of an interest in something they own or possess. The innovative placement of fences, walls or shrubbery around base quarters to delineate “private” space is one example of the use of territoriality.

**Validation**—Process to ensure an observation is reviewed by staff functionals and/or operational experts to confirm an observation contains an identifiable lesson to be processed through the AFLP.

## Attachment 2

## SECURITY FORCES CODE OF CONDUCT

Exercising Authority. The term "Security Forces" shall be understood to apply to our active duty, reserve component and civilian work force and subject to this SF Code of Conduct. On-duty SF are the visible representatives of the US Government, the USAF, the Installation commander and the DFC. It is the duty of SF to accept the authority entrusted to them and to use the authority impartially, firmly and in a manner that commands respect from the public.

Professional Demeanor and Military Bearing. The enforcement of laws and regulations brings Security Forces into direct contact with the public. Treat everyone in a dignified and respectful manner. At all times show proper respect to Air Force customs and courtesies, salutes, rendering honors and proper respect of senior personnel.

Personal Appearance. Maintain a high standard of appearance in accordance with (IAW) AFI 36-2903, Dress and Personal Appearance of Air Force Personnel, and for DAF CP/SG, AFI 31-283, *Department of the Air Force Civilian Police/Security Guard Program*. Set the example for all to follow.

Personal Attitudes. Perform duties in an impartial, professional and helpful manner. The USAF does not tolerate unlawful discrimination based upon race, color, religion, national origin, sexual orientation, age, disability or gender. The Air Force non-discrimination policy is contained in AFI 36-2707, *Nondiscrimination in Programs and Activities Assisted or Conducted by the Department of the Air Force*.

Assistance to Others. Render assistance to the public. Promptly assist any injured or ill individuals during normal day-to-day operations.

Attention to Duty. Remain mindful of duty commitments. Remain alert and vigilant on post at all times.

Do not consume any form of alcoholic beverage while on-duty or within 8 hours prior to duty.

Seeking Favors. Do not seek personal advantage through status as a Security Forces member. Never gain favor or popularity by showing favoritism, overlooking violations or otherwise failing to enforce the law. In addition, SF personnel cannot accept any advantage, gratuity or reward for performing official duties.

Punishment of Offenders. SF has the authority only to apprehend or detain, based upon probable cause, but Security Forces do not have the authority to punish offenders. Use discretion to correct, caution or warn someone for minor violations of the law. Do not admonish or reprimand violators.

Apprehension of Suspects. SF will always use the reasonable amount of force necessary when apprehending and will protect the health and welfare of all apprehended suspects. Use force IAW AFI 31-117, *Arming and Use of Force by Air Force Personnel*. The USAF will not tolerate the

intentional negligent or mistreatment of apprehended suspects. Do not use abusive, profane or insulting language toward a suspect or show disregard for the suspect's valuables, personal property or physical well-being.

Dealing with Intoxicated Persons. SF will apprehend individuals who are, or appear to be, intoxicated using proper communication skills.

Off-Duty Conduct. Security Forces is a high visibility career field and all members must remain above reproach, to include their off-duty conduct.
Protection of Privacy. SF must protect private information collected during the course of their duties. Do not discuss offenses or incidents, except in the line of duty. **NOTE:** SF must maintain, protect and destroy private information IAW AFI33-332, *Air Force Privacy Program*.

**Attachment 3**

**SECURITY FORCES PLEDGE**

***I am a Security Forces member.***

***I hold allegiance to my country, devotion to duty and personal integrity above all.***

***I wear my shield of authority with dignity, restraint, and promote by example high standards of conduct, appearance, courtesy and performance.***

***I seek no favor because of my position.***

***I perform my duties in a firm, courteous and impartial manner, irrespective of a person's color, race, religion, national origin and/or sex.***

***I strive to merit the respect of my fellow Airmen and all with whom I come in contact.***

## Attachment 4

## SECURITY FORCES RESPONSE CODES

**A4.1.** Security Forces utilize response codes to rapidly and efficiently communicate status between BDOC and on-duty personnel. Below is a list of response codes routinely used by Security Forces. In the event these codes conflict with local Law Enforcement, the DFC may consider restructuring response codes at the local level.

**A4.2. Code 1 (Routine).** When a call is not given a priority code, assume it is routine.

A4.2.1. Respond by observing all traffic laws.

A4.2.2. Never use emergency lights or siren for any routine call.

A4.2.3. If circumstances are unknown to the dispatching agency, the response may be upgraded to Code 2 or Code 3, when reasonably justifiable.

**A4.3. Code 2 (Urgent).**

A4.3.1. A call requiring an immediate response to a non-life-threatening emergency is normally assigned an "urgent" priority.

A4.3.1.1. Respond by observing all traffic laws.

A4.3.1.2. Use emergency lights for all urgent calls.

A4.3.1.3. Sirens are not authorized.

A4.3.1.4. The urgent call is also known as the "silent response." Use this type of response when answering non-life-threatening, crime-in-progress calls.

A4.3.2. Check local, state, territorial or host nation traffic codes for limitations on use of lights and siren (some traffic codes do not support Code 2 responses).

**A4.4. Code 3 (Emergency).** A call requiring an immediate response to a life-threatening emergency or emergency involving USAF priority resources is normally assigned an "emergency" priority.

A4.4.1. The use of emergency lights and siren is mandatory; however, use common sense when approaching the scene of the emergency.

A4.4.2. If the emergency lights and siren put SF, victims or bystanders in peril, turn them off a safe distance from the scene.

**A4.5. Code 4 (Request Wants and Warrants).** Use this code to obtain a check for outstanding wants and warrants on a person or vehicle. Immediately follow this transmission by listing:

A4.5.1. Information about the person to be checked.

A4.5.2. Description and license plate number of the vehicle to be checked.

## Attachment 5

## BLOODBORNE PATHOGENS EXPOSURE CONTROL PLAN

**A5.1. Blood-borne Pathogens Exposure Control Plan.** Each SF unit will develop a blood-borne pathogen exposure control plan and make it readily available to all unit members. Ensure the plan contains, as a minimum (T-1):

A5.1.1. The exposure determination of personnel (those reasonably anticipated, as a result of performing their day-to-day duties, to have potential skin, eye or mucous membrane contact with blood or other potentially infectious fluids or materials). This determination includes:

A5.1.1.1. A list of all duty positions in which personnel in those positions are likely to be exposed to contaminated material.

A5.1.1.2. A list of all tasks and procedures, or groups of closely-related tasks and procedures, in which exposure may occur; tasks and procedures will be performed by personnel who handle contaminated material.

A5.1.2. The methods available to prevent contact with blood and other potentially infectious fluids or materials.

A5.1.3. Procedures for those who reasonably believe they have contacted a potentially infectious fluid or material.

A5.1.4. Procedures for placing warning labels on containers or plastic bags containing blood or other potentially infectious material. Labels must comply with Occupational Safety and Health Agency (OSHA) Standard 1910.1030.

A5.1.5. Procedures for keeping records of all incidents and occupational exposures per OSHA Standard 1910.1030.

A5.1.6. Procedures for evaluating circumstances surrounding exposure incidents.

**A5.2. Plan Review and Updates**. Review the exposure control plan at least annually. Update the plan as necessary to reflect new or modified exposure determinations. Coordinate with local medical liaison to ensure relevancy and accuracy. (T-1)

**A5.3. Training.** Train SF identified in the exposure determination about the use of protective equipment and disposition of possibly contaminated materials. Qualified SF or hospital personnel may conduct this training. (T-1)

**A5.4. EXAMPLE BLOODBORNE PATHOGENS EXPOSURE CONTROL PLAN.**

**Figure A5.1. Example Bloodborne Pathogens Exposure Control Plan**

| |
|---|
| Workplace:<br><br>Date of Preparation:<br><br>In accordance with the OSHA Bloodborne Pathogens standard, 29 CFR 1910.1030, the following exposure control plan has been developed. This document outlines the mandatory requirements for all employees with the potential for exposure to Bloodborne Pathogens (BPP) during performance of their assigned duties. |

1. Exposure Determination: OSHA requires employers to perform an exposure determination concerning which workers may incur occupational exposure to blood or other potentially infectious materials. The exposure determination is made without regard to the use of personal protective equipment (i.e., employees are considered to be exposed even when they wear personal protective equipment).

1.1. All workers in the following job classifications have the potential for exposure to BBP regardless of frequency:

(List Job Title and/or AFSC for this category)

1.2. Some workers in the following job classification have the potential for exposure to BBP:

(List Job Title and/or AFSC for this category)

1.3. The following tasks and procedures have the potential to cause exposure to BBP:

(List Tasks, Job Title and/or AFSCs)

2. Implementation schedule and Methodology

OSHA requires that this plan also include a schedule and method of implementation for the various requirements of the standard. The following complies with this requirement:

2.1. Compliance Methods

2.1.1. Use of standard precautions is mandatory in order to prevent contact with blood or other potentially infectious material. All blood or other potentially infectious material will be considered infectious regardless of the perceived status of the source.

2.1.1.1. Engineering and work practice controls will be used to eliminate or minimize exposure to workers. Where occupational exposure remains after institution of these controls, personal protective equipment shall also be utilized. At this facility, the following engineering controls will be used: (List controls, such as sharps containers, etc.).

2.1.1.2. The above controls will be examined and maintained on a regular schedule. The schedule for reviewing the effectiveness of the controls is as follows: (List schedule such as daily, once/week, etc., as well as list of who has the responsibility to review the effectiveness of the individual controls, such as the supervisor for each Department, etc.).

2.1.2. Hand washing: Hand washing facilities are available for workers who incur exposure to blood or other potentially infectious materials. OSHA requires that these facilities be readily accessible after incurring exposure. At this facility, hand washing facilities are located: (list locations, such as patient rooms, procedure area, etc. If hand washing facilities are not feasible, the employer is required to provide either an antiseptic cleanser in conjunction with a clean

cloth/paper towel or antiseptic towelettes. If these alternatives are used, then the hands are to be washed with soap and running water as soon as feasible. The location, task and responsibility to ensure maintenance and accessibility should be listed).

2.1.2.1. Hand washing is the responsibility of each worker. Supervisors are responsible for enforcement of this policy.

2.1.2.2. Procedure: After removal of personal protective gloves, workers shall wash hands and any other potentially contaminated skin area immediately or as soon as feasible with soap and water as thoroughly as possible. If workers incur exposure in their mucous membranes, then those areas shall be washed or flushed with water as appropriate as soon as feasible following contact.

2.2. Needles: Contaminated needles and other contaminated sharps will not be bent, recapped, removed, sheared or purposely broken. OSHA allows an exception to this if the procedure would require that the contaminated needle be recapped or removed and no alternative is feasible and the action is required by the medical procedure. If such action is required, the recapping or removal of the needle must be done by the use of a mechanical device or one-handed technique. At this facility, recapping or removal is only permitted for the following procedures: (list the procedures and also list the mechanical device to be used or alternatively if a one-handed technique will be used. Address these items being found as evidence in the field).

2.3. Containers for Reusable Sharps: Contaminated sharps that are reusable are to be placed immediately, or as soon as possible, after use into appropriate sharps containers. At this facility, the sharps containers are puncture resistant, labeled with a biohazard label and are leak proof. (Employers should list here where sharps containers are located, as well as who has responsibility for removing sharps from containers and how often the containers will be checked to remove the sharps.)

2.4. Work Area Restrictions: In work areas where there is a reasonable likelihood of exposure to blood or other potentially infectious materials, workers are not to eat, drink, apply cosmetics or lip balm, smoke or handle contact lenses. Food and beverages are not to be kept in refrigerators, freezers, shelves, cabinets or on counter tops or bench tops where blood or other potentially infectious materials are present. Mouth/pipetting/suctioning of blood or other potentially infectious materials is prohibited. All procedures will be conducted in a manner which will minimize splashing, spraying, splattering and generation of droplets of blood or other potentially infectious materials. Methods which will be employed at this facility to accomplish this goal are: (list methods, such as covers on centrifuges, use of dental dams if appropriate, etc.).

2.5. Specimens: Specimens of blood or other potentially infectious materials will be placed in a container which prevents leakage during collection, handling, processing, storage and transport. The container used for this purpose will be labeled or color coded in accordance with the requirements of the OSHA standard. If outside contamination of the primary container occurs, the primary container shall be placed within a secondary container which prevents leakage during the handling, processing, storage, transport or shipping of the specimen. Any specimens which could puncture a primary container will be placed within a secondary container which is

puncture resistant. (List how this will be accomplished, e.g., which specimens, if any, could puncture a primary container, which containers can be used as secondary containers and where the secondary containers are located at the facility.)

2.6. Contaminated Equipment: Equipment which has become contaminated with blood or other potentially infectious materials will be examined prior to servicing or shipping, and shall be decontaminated as necessary unless the contamination of the equipment is not feasible (see attachment # X). (Describe the procedures to be used and any variations for surfaces or equipment that cannot be decontaminated with soap and water, like computers or sensitive electronic equipment.)

2.7. Personal Protective Equipment (PPE): All PPE will be provided without cost to workers. PPE will be chosen based upon the anticipated exposure to blood or other potentially infectious materials. The protective equipment will be considered appropriate only if it does not permit blood or other potentially infectious materials to pass through or reach the workers' clothing, skin, eyes, mouth or other mucous membranes under normal conditions or use, and for the duration or time which the protective equipment will be used. Protective clothing will be provided to workers in the following manner: (list how the clothing will be provided to workers, e.g., who has responsibility for distribution, etc., and which procedures would require the protective clothing and the type of protection required; this could also be listed as an appendix to this program). Potential PPE includes, but is not limited to:

Gloves

Face Shield

Protective eyewear (with solid side shield)

Surgical Gown

Shoe covers

Utility Gloves

Examination Gloves

Other PPE (list)

2.7.1. All garments that are penetrated by blood shall be removed immediately or as soon as feasible. All PPE will be removed prior to leaving the work area. The following protocol has been provided to facilitate leaving the equipment at the work area: (list where employees are expected to place the PPE upon leaving the work area, and other protocols, etc.).

2.7.2. Gloves shall be worn where it is reasonably anticipated that employees will have hand contact with blood, other potentially infectious materials, non-intact skin and mucous membranes. Gloves will be available from (state location and/or person who will be responsible

for distribution of gloves).

2.7.2.1. Gloves will be used for the following procedures: (list procedures)

2.7.2.2. Disposable gloves used at this facility are not to be washed or decontaminated for re-use and are to be replaced as soon as practical when they become contaminated or as soon as feasible if they are torn, punctured or when their ability to function as a barrier is compromised. Utility gloves will be discarded if they are cracked, peeling, torn, punctured or exhibit other signs of deterioration or when their ability to function as a barrier is compromised.

2.7.3. Masks in combination with eye protection devices, such as goggles or glasses with solid side shield or chin length face shields, are required to be worn whenever splashes, spray, splatter or droplets of blood or other potentially infectious materials may be generated and eye, nose or mouth contamination can reasonably be anticipated. Situations at this facility which would require such protection are as follows: (list procedures/situations).

2.7.4. Other appropriate protective clothing to be used may include (add available PPE). The following situations require that such protective clothing be utilized: (list procedures/situations and PPE needed).

2.8. Contaminated Surfaces: All contaminated work surfaces will be decontaminated after completion of procedures and immediately or as soon as feasible after any spill of blood or other potentially infectious materials, as well as the end of the work shift if the surface may have become contaminated since the last cleaning. Decontamination will be accomplished by utilizing the following materials (list the materials which will be utilized, such as bleach solutions or EPA registered germicides). Describe the cleaning procedure ((see attachment # X) and add any information concerning the use of protective coverings, such as plastic wrap which is perhaps being used to assist in keeping surfaces free of contamination).

2.8.1. Any broken glassware which may be contaminated will not be picked up directly with the hands. Tongs or other tools will be used to pick up any object that could cause penetration of the skin.

2.9. Regulated Waste Disposal: All contaminated sharps shall be discarded as soon as feasible in sharps containers which are located in the facility. Sharps containers are located in (specify locations of sharps containers). Regulated waste other than sharps shall be placed in appropriate containers. Such containers are located in: (specify locations of containers).

2.10. Laundry Procedures: Laundry contaminated with blood or other potentially infectious materials will be handled as little as possible. Such laundry will be placed in appropriately marked bags at the location where it was used. Such laundry will not be sorted or rinsed in the area of use. All employees who handle contaminated laundry will use PPE to prevent contact with blood or other potentially infectious materials. Laundry at this facility will be cleaned at (employers should note here if the laundry is being sent off site. If the laundry is being sent off site, then the laundry service accepting the laundry is to be notified, in accordance with section (d) of the standard).

2.11. Hepatitis B Vaccine (HBV): All workers who have been identified as having exposure to blood or other potentially infectious materials will be offered the Hepatitis B vaccine at no cost to the worker. The (add medical unit) will provide the vaccine.

2.11.1. The HBV will be offered within 10 working days of a staff member's initial assignment to work involving the potential for occupational exposure to blood or other potentially infectious materials unless the worker has previously had the vaccine or wishes to submit to antibody testing which shows the employee to have sufficient immunity.

2.11.2. Employees who decline the Hepatitis B vaccine will sign a waiver.

2.12. Post-Exposure Evaluation and Follow-up: If a worker incurs an exposure incident, it must be reported to their supervisor and follow-up should be as described below. All employees who incur an exposure incident will be offered post-exposure evaluation and follow-up in accordance with the OSHA standard.

2.12.1. The exposed surface should be IMMEDIATELY washed with soap and warm water for at least 15 minutes or washed with copious amounts of water if soap is inadvisable (as in eye exposures).

2.12.2. The exposed worker must notify their supervisor and report to the Flight Medicine Clinic (XXX-XXXX) as quickly as possible. The worker will be evaluated at the Flight Medicine Clinic to determine if they are a candidate for Human Immunodeficiency Virus (HIV) Post-Exposure Prophylaxis medication. This medication is most effective if given within 1 to 2 hours after exposure. If the exposure occurs after normal duty hours, the worker should go to the nearest emergency room as quickly as possible for evaluation and treatment.

2.12.3. The worker must also report to the Public Health office (XXX-XXXX) after he or she has been evaluated. The Public Health office must be notified the next duty day for follow-up if the worker was evaluated in an emergency room or a civilian clinic.

2.12.4. Contact information for the source of the blood or body fluid should be identified to facilitate any needed testing and/or follow-up.

2.13. Training: Training for all employees will be conducted prior to initial assignment of 10 tasks where occupational exposure may occur. Training will include annual refresher training as well as:

2.13.1. An explanation of the OSHA standard for bloodborne pathogens.

2.13.2. Epidemiology and symptomatology of blood borne diseases (statistics, signs and symptoms).

2.13.3. Modes of transmission of bloodborne pathogens.

2.13.4. This Exposure Control Plan, i.e., points of the plan, lines of responsibility, how the plan will be implemented, etc.

2.13.5. Procedures which might cause exposure to blood or other potentially infectious materials at this facility.

2.13.6. Control methods which will be used at the facility to control exposure to blood or other potentially infectious materials.

2.13.7. Personal Protective Equipment.

2.13.8. Post exposure evaluation and follow-up procedures and reporting.

2.13.9. Signs and labels used at the workplace.

2.14. Hepatitis B vaccine program. (Employers should list here if training will be conducted using videotapes, written material, etc. Also, the employer should indicate who is responsible for conducting training).

2.15. Record Keeping:

2.15.1. Medical Records. Patient medical records are maintained by the (add medical unit).

2.15.2. Training Records. Upon completion of training, the employee will sign the AF Form 2676, Occupational Health Training and Protective Equipment Fit Testing, or other designated form. A copy will be sent to Public Health and the original will be filed in a separate section with the exposure control plan. These training records must be kept for a length of time determined by the installation medical unit.

2.15.3. Each supervisor must document initial and annual training in Block V of each trainee's AF Form 55.

2.15.4. Initial training will be documented as "Initial Bloodborne Pathogen Training" and annual training will be documented as "Annual Bloodborne Pathogen Training."

2.16. Labeling. Contaminated items will be designated by placing them in a biohazard bag or other appropriate leak-proof container which has the biohazard symbol and the word "BIOHAZARD" clearly marked in red on the outside of the container. These containers will not be used for any other purpose.

## Attachment 6

## USAF SECURITY FORCES MODEL VEHICLE OPERATION POLICY

**A6.1. Non-Emergency Operation of Security Forces Vehicle.** SF personnel will:

A6.1.1. Comply with all installation and state laws when operating USAF-owned or leased vehicles.

A6.1.2. Use seat belts when operating any vehicle.

A6.1.3. Ensure their vehicles have sufficient gas and oil and are checked for proper inflation of tires.

A6.1.4. Inspect assigned vehicles prior to their shift for any damage or missing equipment, and inspect the rear seat area for contraband or evidence. Inspect the rear seat area before and after transporting any person.

A6.1.5. Report all vehicle damage or missing equipment to a supervisor prior to placing the vehicle in service.

A6.1.6. Keep vehicles clean and free of trash.

**A6.2. Emergency Driving -- General (Non-Pursuit Situations).** The primary concern in emergency driving situations is protection of lives and the safety of all citizens and SF personnel. During emergency driving situations, SF will operate their vehicles with extreme caution. Driving under emergency conditions does not relieve the vehicle operator from the duty to drive with due regard for safety of all persons, nor will these provisions protect the driver from consequences of their disregard for safety of others.

A6.2.1. Emergency Driving Defined. Emergency driving is operation of an authorized emergency vehicle (emergency lights and siren in operation) by SF personnel in response to a life threatening situation or a violent crime in progress, using due regard for safety. **NOTE:** *Drivers should not use their emergency flashers during emergency driving as it will make turn signals inoperative.*

A6.2.2. Emergency Driving Conditions. The decision to drive under emergency conditions rests with each individual, subject to supervisory oversight, based upon the following conditions:

A6.2.2.1. Consider factors such as driving abilities, traffic volume, time of day and potential hazard or liability to themselves and the public.

A6.2.2.2. Make emergency responses only when the call involves a life threatening situation or a violent crime in progress.

A6.2.2.3. Have sufficient information to justify emergency driving.

A6.2.2.4. Even when responding to a "patrolman needs assistance" type call, SF must bear in mind that, while a rapid response is important, they must arrive at the scene safely.

A6.2.3. Deciding to Make an Emergency Response. All personnel making an emergency response will immediately notify the BDOC of that action by using the term "Code Three." This indicates use of emergency lights and siren. The ranking individual on duty will

override the vehicle operator's decision to make an emergency (Code Three) response if, in his/her judgment, it is not warranted or safe. (T-1)

A6.2.3.1. SF personnel will not operate a vehicle in emergency (Code Three) status if it is occupied by any passengers other than SF. Exception: If SF are transporting injured personnel to a medical facility, use sound judgment when determining to use an emergency (Code 3) response. (T-1)

A6.2.3.2. SF vehicles without emergency lights and siren will not make emergency (Code Three) responses. (T-1)

**A6.3. Pursuit Driving.** Pursuit driving is inherently dangerous and should be avoided except in extreme situations. Examples of extreme situations include: pursuing a vehicle with material that is extremely dangerous to others, such as nuclear, biological or chemical munitions or components; pursuing a vehicle whose occupant(s) are suspects in an incident in which deadly force would be authorized. In situations where deadly force would not be authorized and high speed pursuit is not preferred, consider alternative courses of action, such as vehicle intercept where SF strategically move their vehicles into a position to block or disable the suspect vehicle, use of barrier system or Stop Sticks.

A6.3.1. Safety. At no time will pursuit driving endanger the public, SF personnel involved in the pursuit or USAF resources. When engaged in a vehicle pursuit, SF personnel must weigh the need to immediately apprehend a suspect against the danger created by the pursuit. Extreme caution must be exercised to ensure public safety.

A6.3.2. Responsibility. Responsibility for the decision to pursue an offender rests with each vehicle operator; however, on-duty SF supervisors can, at any time, order termination of any vehicle pursuit. Carefully evaluate each situation and consider the following factors:

A6.3.2.1. Mission impact.

A6.3.2.2. Local policy.

A6.3.2.3. Danger to the public.

A6.3.2.4. Danger to self and fellow patrols.

A6.3.2.5. Experience and training.

A6.3.2.6. Weather and road conditions.

A6.3.2.7. Time of day (e.g., Is it rush hour? Has school just let out? Is it the middle of the night with deserted streets?)

A6.3.2.8. Facilities located along the route (e.g., schools, hospital, shopping centers, etc.).

A6.3.2.9. Type of violation--even if use of deadly force prerequisites are met, this does not mean SF may disregard the safety of the public, other SF personnel or self. SF may be held responsible for injuries or deaths if they act with reckless disregard for the safety of others.

A6.3.2.10. Vehicle characteristics--use of emergency equipment is essential, so ensure vehicle operators turn on the siren and emergency lights. Use both throughout the pursuit. If vehicle is not equipped with emergency lights and siren, do not pursue.

A6.3.2.11. The warning effect of the siren will decrease rapidly as pursuit speed increases.

A6.3.2.12. Use no more than two marked emergency vehicles in the immediate pursuit. Other SF vehicles will support the pursuit units without actively joining the pursuit. SF should also be positioned to block a suspect vehicle from threatening priority resources. (T-1)

A6.3.2.13. Close installation gates to contain the suspect vehicle on base, unless closing the gates will cause a situation unnecessarily dangerous to the public. (T-3)

A6.3.3. Radio and Driving Techniques. Use the radio sparingly and keep the frequency open for the desk sergeant and other units to assist. Where possible, use both hands on the steering wheel to maintain control. In the case of a two-person patrol, the rider conducts the radio communications. If two separate units are involved in the pursuit, the lead patrol concentrates on the suspect vehicle while the second patrol makes all radio transmissions concerning the pursuit. When transmitting, remain calm and speak clearly and coherently. Do not shout. When a pursuit begins, call the desk sergeant immediately and relay the following information:

A6.3.3.1. Direction of travel.

A6.3.3.2. Vehicle description and license number.

A6.3.3.3. Number of occupants.

A6.3.3.4. Exact reason for pursuit.

A6.3.3.5. Traffic conditions and other details that will assist other patrols in the area.

A6.3.4. Terminating a Pursuit. SF must use good judgment throughout a pursuit and continuously evaluate whether to terminate the pursuit. End a pursuit when the risks to bystanders, other traffic or the pursuing patrolman are unjustified. Supervisors are also responsible for monitoring the pursuit and must order its termination when the risk is not justifiable.

## Attachment 7

## STANDARD POST BRIEFING

Sir/Ma'am: (Rank/Name) reports (Post Name) is secure, do you request a post briefing?
Sir/Ma'am: Security Forces detect and defeat threats to protect and enable Air Force, Joint and Coalition missions.
I am posted as a (Provide post type such as…Entry Controller for Ramstein Air Base…an Internal Security Response Team to Ramp 1). My primary duties are to (Provide duties such as…control entry and exit on and off the installation…provide an immediate armed response to my assigned area) in support of XXX (Fighter/Air Base/Missile…) Wing whose mission is to (Provide wings mission such as…generate and recover combat sorties).
My post limits are (Provide post limits: …in the immediate vicinity of the gate…within a three minute response time to my assigned resources) unless directed otherwise by the Flight Sergeant or higher authority.
I am armed with an (state all weapons you are armed with such as: M-4 with 120 rounds of ammunition, M-9 with 30 rounds of ammunition, M249 with 800 rounds of ammunition, M203 with 18 rounds of ammunition, or M240 with 700 rounds of ammunition).
My primary means of communication is land mobile radio; secondary means is telephone. If these fail, other methods are voice, landlines, whistle, flashlight, or hand and arm signals.
We are currently in Force Protection Condition _____.
My supervisor is (Rank/Name) and my on duty Flight Chief is (Rank/Name).
This concludes my post briefing, do you have any questions?

## Attachment 8

## OFFENSES REQUIRING SUBMISSION OF CRIMINAL HISTORY DATA TO FBI

**A8.1.** As stated in DoDI 5505.11., the following offenses are pursuant to the punitive articles of the UCMJ and require submission of offender criminal history data to the CJIS Division of the FBI by the Defense Criminal Investigative Organizations (DCIOs) and all other DoD law enforcement organizations.

A8.1.1. Article 78. Accessory after the fact (for crimes listed in this attachment).

A8.1.2. Article 80. Attempts (for crimes listed in this attachment).

A8.1.3. Article 81. Conspiracy (for crimes listed in this attachment).

A8.1.4. Article 82. Solicitation.

A8.1.5. Article 85. Desertion.

A8.1.6. Article 90. Assaulting a superior officer.

A8.1.7. Article 91. Striking or assaulting a warrant, noncommissioned or petty officer.

A8.1.8. Article 94. Mutiny or sedition.

A8.1.9. Article 95. Resistance, breach of arrest and escape.

A8.1.10. Article 97. Unlawful detention.

A8.1.11. Article 106. Spies.

A8.1.12. Article 106a. Espionage.

A8.1.13. Article 107. False official statements.

A8.1.14. Article 108. Military property of the United States: sale, loss, damage, destruction or wrongful disposition.

A8.1.15. Article 109. Willfully destroying or damaging private property.

A8.1.16. Article 111. Drunken or reckless operation of vehicle, aircraft or vessel.

A8.1.17. Article 112a. Wrongful use, possession, etc., of controlled substances.

A8.1.18. Article 116. Riot.

A8.1.19. Article 118. Murder.

A8.1.20. Article 119. Manslaughter.

A8.1.21. Article 119a. Death or injury of an unborn child.

A8.1.22. Article 120. Rape and carnal knowledge (for offenses committed prior to October 1, 2007).

A8.1.23. Article 120. Rape, sexual assault and other sexual misconduct (for offenses committed on or after October 1, 2007).

A8.1.24. Article 120a. Stalking (for offenses committed on or after October 1, 2007).

A8.1.25. Article 121. Larceny and wrongful appropriation.

A8.1.26. Article 122. Robbery.

A8.1.27. Article 123. Forgery.

A8.1.28. Article 123a. Making, drawing or uttering check, draft or order without sufficient funds.

A8.1.29. Article 124. Maiming.

A8.1.30. Article 125. Sodomy.

A8.1.31. Article 126: Arson.

A8.1.32. Article 127. Extortion.

A8.1.33. Article 128. Assault.

A8.1.34. Article 129. Burglary.

A8.1.35. Article 130. Housebreaking.

A8.1.36. Article 131. Perjury.

A8.1.37. Article 132. Frauds against the United States.

A8.1.38. The following offenses under Article 134, listed in the Manual for Courts-Martial:

A8.1.38.1. Assault. Indecent (for offenses committed prior to October 1, 2007).

A8.1.38.2. Assault. With intent to commit murder, voluntary manslaughter, rape, robbery, sodomy, arson, burglary or housebreaking.

A8.1.38.3. Bribery and graft.

A8.1.38.4. Burning with intent to defraud.

A8.1.38.5. Child endangerment (for offenses committed on or after October 1, 2007).

A8.1.38.6. Child pornography offenses, to include possession, distribution, production, receipt, viewing and accessing.

A8.1.38.7. Correctional custody - offense against.

A8.1.38.8. False or unauthorized pass offenses.

A8.1.38.9. False pretenses, obtaining services under (value more than $100).

A8.1.38.10. False swearing.

A8.1.38.11. Firearm, discharge. Willfully, under such circumstances as to endanger human life.

A8.1.38.12. Fleeing the scene of an accident.

A8.1.38.13. Homicide, negligent.

A8.1.38.14. Impersonating a commissioned, warrant, noncommissioned or petty officer, or an agent or official.

A8.1.38.15. Indecent acts or liberties with a child (for offenses committed prior to October 1, 2007).

A8.1.38.16. Indecent exposure (for offenses committed prior to October 1, 2007).

A8.1.38.17. Indecent language.

A8.1.38.18. Indecent acts with another (for offenses committed prior to October 1, 2007).

A8.1.38.19. Kidnapping.

A8.1.38.20. Mails. Taking, opening, secreting, destroying or stealing.

A8.1.38.21. Mails. Depositing or causing to be deposited obscene matters in the mail.

A8.1.38.22. Misprision of a serious offense.

A8.1.38.23. Obstructing justice.

A8.1.38.24. Wrongful interference with an adverse administrative proceeding.

A8.1.38.25. Pandering and prostitution.

A8.1.38.26. Perjury. Subornation of.

A8.1.38.27. Public record. Altering, concealing, removing, mutilating, obliterating or destroying.

A8.1.38.28. Reckless endangerment.

A8.1.38.29. Seizure. Destruction, removal or disposal of property to prevent.

A8.1.38.30. Self-injury without intent to avoid service.

A8.1.38.31. Soliciting another to commit an offense (for crimes listed in this attachment).

A8.1.38.32. Stolen property. Knowingly receiving, buying or concealing (value more than $100).

A8.1.38.33. Testify. Wrongful refusal.

A8.1.38.34. Threat or hoax designed or intended to cause panic or public fear.

A8.1.38.35. Threat, communicating.

A8.1.38.36. Weapon. Concealed or carrying.

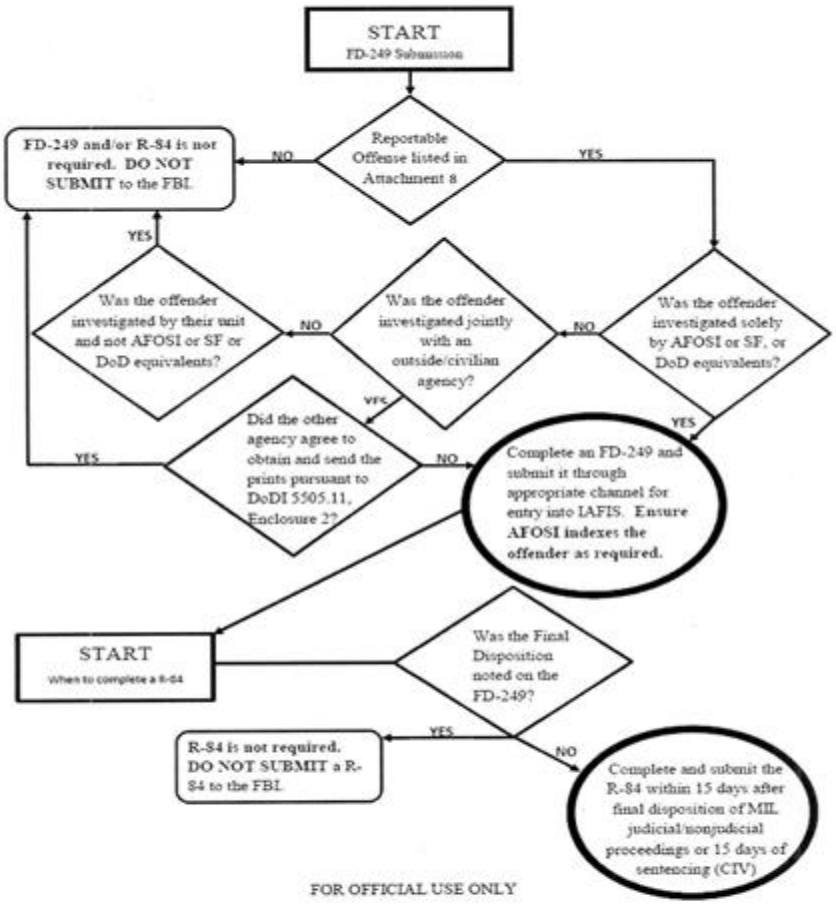
A8.1.39. Any offense under the Federal Assimilative Crimes Act (18 U.S.C. § 13) charged as a violation of Article 134, UCMJ, which has a maximum punishment of more than 1 year.

## Attachment 9

## GUIDELINES DETERMINING WHEN TO SUBMIT SUSPECT FINGERPRINTS

**A9.1.** The flowchart in Figure A9.1 is to clearly relay the process of suspect fingerprinting and is intended for use in conjunction with instructions.

**Figure A9.1. Guidelines Determining When To Submit Suspect Fingerprints**



## Attachment 10

## PRIVACY ACT STATEMENT FOR DNA SAMPLING

### PRIVACY ACT STATEMENT

This statement is provided in compliance with the provisions of the Privacy Act of 1974, 5 U.S.C. § 552a, which requires that Federal agencies inform individuals who are requested to furnish personal information about themselves as to certain facts regarding the information requested.

The collection of a sample of an individual's deoxyribonucleic acid (DNA) by the US Department of Defense is authorized by and conducted pursuant to 10 U.S.C. § 1565; 42 U.S.C. § 14135a et seq.; and 28 C.F.R. § 28.12. Collection is authorized for all offenses investigated pursuant to 42 U.S.C. § 14135a(a)(1)(A) and for all qualifying military offenses, as defined in 10 U.S.C. § 1565(d), including offenses which constitute a felony under the United States Code and offenses for which a sentence of confinement for more than 1 year may be imposed under the Uniform Code of Military Justice.

The purpose of the Department of Defense's collection of a sample of an individual's DNA is to allow for positive identification and to provide or generate evidence to solve crimes through database searches of potentially matching samples.

It is mandatory that United States persons who are arrested, facing charges or convicted and non-United States persons, who are detained by the Department of Defense or Coast Guard in non-combat or operational activities, cooperate in the collection of a sample of his or her DNA. Failure to do so may result in samples taken by the minimum force necessary and/or result in disciplinary action for a violation of Article 92, Uniform Code of Military Justice, or a determination that the individual is guilty of a class A misdemeanor and punishment in accordance with Title 18 (Crimes and Criminal Procedure), United States Code.

Analysis conducted on DNA samples collected by the Department of Defense will be forwarded by the US Army Criminal Investigation Laboratory (USACIL) to the Federal Bureau of Investigation for entry into the Combined DNA Index System (CODIS).

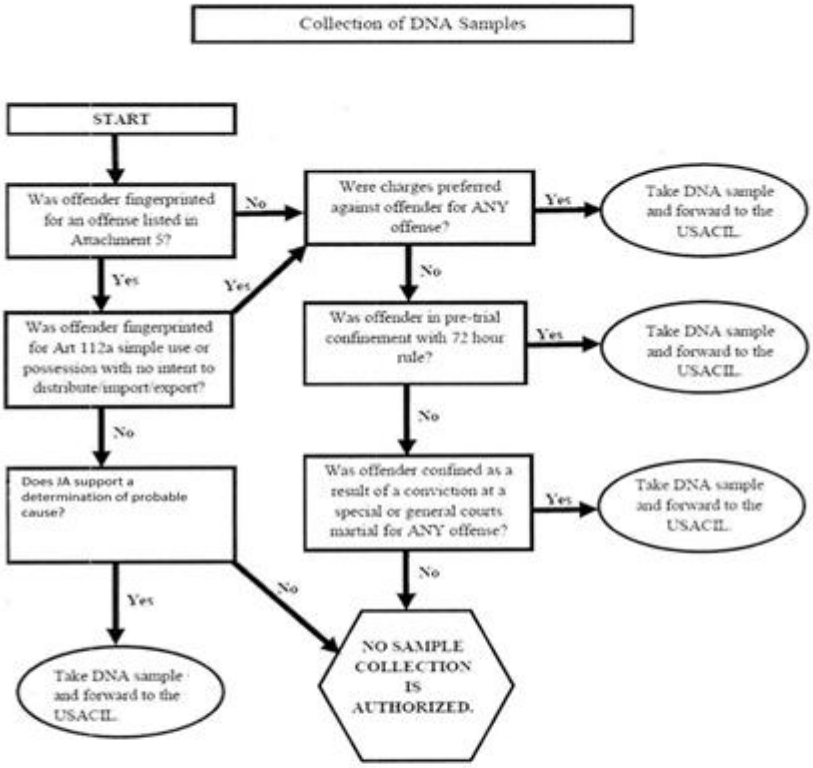
Pursuant to 42 U.S.C. § 14132(d) and 10 U.S.C. § 1565(e), an individual whose DNA is collected and analyzed in the above manner may request that his or her DNA analysis be expunged from USACIL records and CODIS if the individual is (i) not convicted of an offense in a federal court, or in the case of a current or former service member, not convicted of an offense by general or special courts-martial (including action generally inconsistent with such a conviction, such as administration of non-judicial punishment, administrative separation or referral to a summary court), and (ii) meets certain conditions set forth in DoD Instruction 5505.14, *Deoxyribonucleic Acid (DNA) Collection Requirements for Criminal Investigations*.

## Attachment 11

## DNA SUBMISSION FLOWCHART

**A11.1.** The flowchart in Figure A11.1. is to clearly relay the process of collecting suspect DNA and is intended for use in conjunction with instructions.

**Figure A11.1. DNA SUBMISSION FLOWCHART**



## Attachment 12

## IN TURN MEMO – HOUSING SECURITY SURVEY

MEMORANDUM FOR 11 ABW/CC/LG/XP IN TURN

FROM: 11 SFS/SFO/S5
1223 Adam Street
Joint Base San Antonio-Lackland, Texas 78236-0119

SUBJECT: Crime Prevention Survey for Base Housing

1. **ACTIVITY**: A crime prevention survey was conducted on 816 Walnut Street to provide housing management recommendations to enhance the security of base housing residents. The primary reason to conduct this survey was a request by the 11th Air Base Wing/Commander.

2. **DATE SURVEY CONDUCTED**: 21 September 2011

3. **PERSONNEL CONTACTED**: Brit Weber/Base Housing Manager

4. **PERSONNEL CONDUCTING SURVEY**: TSgt William M. Smith, SFOP/S5, and TSgt Henry Ford, CES/Safety Officer

5. **SURVEY LOCATION**: 816 Walnut Street, San Antonio, Texas 78234

6. **ASSESSMENT**: Base leadership requested new security/safety surveys be conducted of the newly remodeled off-base housing to ensure measures have been established for base personnel to begin residing in the homes. Observations and recommendations were noted and suggested during the survey which will provide information to help improve security/safety standards within individual units.

**Physical description of the property and unit**: The home was built in the early 1940's and has recently been remodeled. It is located on a .5 acre lot that shares a driveway with the adjoining property. The unit is a three story home with a basement. The first floor has five rooms, including full kitchen and one full bathroom; the second floor consists of three bedrooms and one full bathroom; and the third floor has two bedrooms with a large closet. The home's foundation is constructed of concrete and the structure is built with pier-on-beam construction with hard board siding. The basement consists of five windows built with four inch thick glass cubes and one small screened window opening that does have proper locking mechanisms. The home has 15 windows which all have working locks. The two exterior doors located on the east and west are equipped with aluminum screen doors with working locks and hollow steal doors that have two locks on each. The basement has unfinished cement floors with exposed electric wiring and piping running along the ceiling and floor. The house has a wooden porch in the front and rear of the home. There is a small 15'X15' detached shed located on the property located in the rear of home.

7. **OBSERVATIONS AND RECOMMENTDATIONS**:

A. **OBSERVATION / RECOMMENTDATION**: The locking mechanisms on the door knobs and secondary deadbolts could be upgraded or a third type of lock placed on the front/back door of the home. The doors could be placed with the jam inside the home which would make it harder for the door to be kicked in.

B. **OBSERVATION / RECOMMENTDATION**: All windows on the first floor are only protected with the inside locking mechanism. Bars could be added to increase the risk of an intruder to access the windows. The basement windows are built with just a small access window which makes it impossible for intruders to access.

C. **OBSERVATION/RECOMMENDATION**: There is no current security system on the unit which should be installed and working before residents move in. The system should be installed on all doors/windows and also the ability for motion sensors to be utilized if resident requires this ability.

D. **OBSERVATION / RECOMMENDATION**: The west entrance to the unit had one exterior light located on the front porch and the east entrance had one motion sensor light for the back porch and yard. The street was equipped with four telephone pole mounted street lamps. The north/south sides of the home were not lighted and should have some type of motion detection lights installed. The shed located in the back of the lot should also have a motion detection light installed to add additional light to the back to illuminate the area more adequately.

E. **OBSERVATION / RECOMMENDATION**: On the north side of the house and back fence, vegetation was over grown and this increases areas for intruders to hide. Housing management office needs to ensure residents are conducting proper yard maintenance by trimming all trees/shrubbery surrounding the unit and fence line. On the west side, the large tree is growing into the power lines and a work order needs to be placed to have them trimmed to ensure the safety hazard is corrected.

F. **OBSERVATION / RECOMMENDATON**: The fencing that is in place is adequate and establishes the property lines for the rear of the lot. A fence and vehicle gate should be installed for the west side (front) of home to increase the ability to enter the property and secure the lot and vehicles.

G. **OBSERVATION / RECOMMENDATION**: The unit contains eight smoke/carbon monoxide detectors. The main floor contained zero detectors and should have at least one installed.

H. **OBSERVATION / RECOMMENDATION**: The shed located in the rear of property does not have any locking mechanism to secure property and one should be installed before residents move in.

8. **CLOSING**: The 11 SFS/SFOP/S5 and 11 CES/Safety Officer conducted a Crime Prevention

security/safety survey to inform the installation commander and base leadership about current and recommended security enhancements. The observations and recommendations of this survey are meant to assist in preventing burglaries and thefts, as well as to enhance the overall security and safety of base housing residents. Please direct any questions or comments concerning this survey to TSgt William Smith at 210-925-1101 or william.smith.1@us.af.mil.

WILLIAM M. SMITH, TSgt, USAF

NCOIC, Police Services

Include this information in the footer of memo: "The information contained in this security survey is For Official Use Only (FOUO) and should not be copied, distributed or released to any individual without the express permission of the (unit conducting survey). If the possessor of this document is not the intended recipient, this document must be immediately returned to the sender."

## Attachment 13

## SECURITY FORCES LESSONS LEARNED/AAR FORMAT

**Overall Classification**

**Operation/Event Name:** The formal name of the military operation or a brief description of the event.

**Dates/Times**: Self-explanatory.

**Point of Contact (POC):** Name and contact information.

**Office of Primary Responsibility (OPR):** Name and contact information.

**Title: (U)** Name of the incident. Example: Murder of a Security Forces Member or contact with enemy forces at grid coordinates xyz.

**Observation: (U)** A precise, factual description of the entire incident in narrative format. This section should include the known background information on the subject.

**Discussion: (U)** A critical review of the procedures used and actions accomplished during the incident. The intent is to highlight potential problem areas so readers can prevent similar mistakes or to prompt a review of policy or procedures.

**Lessons Learned: (U)** What lessons were learned, if any, be specific but do not regurgitate information if there were no new lessons learned?

**Recommended Action: (U)** A synopsis of a "better way" or "best business practice" to handle similar events in the future. Use this section to outline suggested review actions by higher headquarters.

**OPR Comments: (U)** OPR may add any additional comments.

**Date and Time AAR completed:**

JANE Q. AIRMAN, Capt, USAF

Operations Officer

**Classification NOTE:** The overall classification of the AAR must be identified as well as the classification of each paragraph IAW AFI 31-401, *Information Security Program Management.*

## Attachment 14

## AF IMT 4329, OBSERVATION, ISSUE OR LESSON LEARNED FORM

Close | Save | Print | Email | Submit

| OBSERVATION, ISSUE or LESSON LEARNED | | Report Control Symbol: HAF XOW(AR)0109 |
|---|---|---|
| Use this IMT on the Non-Classified Internet Protocol Router Network (NIPRNET) | | |
| POC Name (Rank First Last): | Sponsor: | |
| Exercise/Event Name: | Office of Primary Responsibility: | |
| Commercial Phone Number: | DSN Phone Number: | Category: |
| E-mail Address: | Date: MONTH / DAY / YEAR | Overall Classification: UNCLASSIFIED |

TITLE: (U)

5. OBSERVATION: (U)

6. DISCUSSION: (U)

7. LESSON LEARNED: (U)

8. RECOMMENDATION: (U)

9. COMMENTS: (U)

AF IMT 4329, 20040324, V1

## Attachment 15

## AF IMT 4330, AFTER ACTION SUMMARY REPORT

Close | Save | Print | Email | Submit

| AFTER ACTION SUMMARY REPORT | Report Control Symbol: HAF XOW(AR)0109 |
|---|---|
| Use this IMT on the Non-Classified Internet Protocol Router Network (NIPRNET) | |
| POC Name (Rank First Last): | Sponsor: |
| Exercise/Event Name: | Office of Primary Responsibility: |
| Commercial Phone Number: | DSN Phone Number: |
| E-mail Address: | Date: MONTH / DAY / YEAR — Overall Classification: UNCLASSIFIED |

TITLE: (U)

Summary -

5. GENERAL DESCRIPTION: (U)

6. DATES: (U)

7. LOCATION OF OPERATIONS: (U)

8. LOCATION OF PERSONNEL: (U)

9. OBJECTIVES: (U)

10. LIMITATIONS: (U)

11. MAJOR PARTICIPANTS: (U)

AF IMT 4330, 20040107, V2

## Attachment 16 (Added-ELLSWORTH)

## SAMPLE JUVENILE CORRECTIONS BOARD PARTICIPATION MEMORANDUM

(Date)

MEMORANDUM FOR (Sponsor's Rank, Name)
FROM: 28 MSG/CD
SUBJECT: Juvenile Corrections Board

1. As a 28th Mission Support Group Deputy Commander, it is my responsibility to review and make recommendation regarding juvenile misconduct on this installation. On (Date), Security Forces personnel detained (Offender's Name), your juvenile family member, for (Charge) on Ellsworth AFB. As a result of this infraction, your juvenile family member is requested to participate in the Installation Juvenile Corrections Program as outlined in Air Force Instruction 31-118, Ellsworth AFB Supplement.

2. The program is designed to provide positive motivation and correct instances of misbehavior of dependent military family members under the age of 18, through corrective actions such as community service, counseling, or restitution. Additionally, in cases of extreme or repeat misconduct, the juvenile family member may be debarred from the installation. A board of key law enforcement, legal, and leadership personnel will meet and discuss the case at hand, and recommend avenues for positive motivation. The board is not a criminal proceeding.

3. While participation in this program by your dependent is voluntary, your participation as the military sponsor and parent is mandatory. Your dependent's failure to participate in the program may result in termination of your military family housing privileges.

4. The board is scheduled to review this case on (Date) at the 28 BW Legal Office Courtroom located in the Rushmore Center (Bldg 2500). If you have any questions, contact the 28th Security Forces Squadron Reports and Analysis section (28 SFS/S5R) at 385-4060.

5. If you intend for your juvenile family member to participate in this program you must indorse and return this memorandum no later than five duty days after receipt. Failure to do so will constitute a decision on your part for your juvenile family member to not participate and may result in his/her debarment from the installation.

(Signature block, Deputy Commander, 28th Mission Support Group)

1st Ind, (Sponsor's Rank/Name)
TO: 28 SFS/S5R
My juvenile family member will / will not (select one) participate in the Installation Juvenile Corrections Program.

(Signature block of sponsor)