



Department of Defense

DIRECTIVE

NUMBER 5210.56

April 1, 2011

USD(I)

SUBJECT: Carrying of Firearms and the Use of Force by DoD Personnel Engaged in Security, Law and Order, or Counterintelligence Activities

References: See Enclosure 1

1. PURPOSE. This Directive:

a. Reissues DoD Directive (DoDD) 5210.56 (Reference (a)) to establish DoD policy and assign responsibilities for carrying of firearms and the use of force by DoD personnel engaged in security, law and order, or counterintelligence activities.

b. Cancels Deputy Secretary of Defense Memorandum (Reference (b)).

c. Implements section 1585 of title 10, United States Code (U.S.C.) (Reference (c)), which authorizes civilian officers and employees of the Department of Defense to carry firearms or other appropriate weapons while assigned investigative duties or such other duties as the Secretary of Defense may prescribe, under regulations to be prescribed by the Secretary.

d. Provides requirements, authorizations, and restrictions for carrying firearms and the use of force to protect DoD installations, property, and personnel, and to enforce law and order in accordance with DoD Instruction (DoDI) 5200.08 and DoD 5200.08-R (References (d) and (e)).

e. Provides overarching guidance for developing DoD Component policies, regulations, and procedures.

2. APPLICABILITY. This Directive:

a. Applies to:

(1) OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense (IG, DoD), the Defense Agencies, the DoD Field Activities, and all other

organizational entities within the Department of Defense (hereafter referred to collectively as the “DoD Components”).

(2) DoD military and DoD civilian personnel engaged in security, law and order, or counterintelligence activities as outlined in Enclosure 2, subparagraphs 1.b.(2)(a) through (f).

(3) DoD contractor personnel (U.S. persons or non-U.S. persons) required to carry a firearm in accordance with applicable U.S. laws or host nation laws or international agreements.

b. Does NOT apply to:

(1) DoD military personnel engaged in military operations subject to rules of engagement. These personnel shall be subject to the policy in Chairman of the Joint Chiefs of Staff Instruction 3121.01B (Reference (f)).

(2) DoD personnel in an overseas location not under the authority or subject to the control of a U.S. military commander as agreed by appropriate memorandum of agreement in accordance with DoDI 5210.84 (Reference (g)).

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that:

a. DoD personnel, to whom this Directive is applicable, shall be appropriately armed and have the inherent right to self-defense.

b. Arming DoD personnel with firearms shall be limited and controlled. Qualified personnel shall be armed when required for assigned duties and there is reasonable expectation that DoD installations, property, or personnel lives or DoD assets will be jeopardized if personnel are not armed. Evaluation of the necessity to arm DoD personnel shall be made with the consideration of the possible consequences of accidental or indiscriminate use of those arms. However, the overriding factors in determining whether or not to arm are the mission and threat. Arming DoD personnel (i.e., administrative, assessment, or inspection, not regularly engaged in or directly supervising security or law enforcement activities) shall be limited to missions or threats and the immediate need to protect DoD assets or persons’ lives. DoD Components have the discretion to keep designated staff personnel qualified and available or on call to perform duties.

c. Arming personnel of the Office of the Inspector General and the Military Criminal Investigative Organizations (MCIO) shall be consistent with this Directive and DoD Component authorities and policies.

d. The use of force, including less-lethal force and deadly force, shall be implemented in accordance with this Directive and DoD Component supplementing guidance.

e. The use of force shall be reasonable to accomplish assigned duties as delineated in Enclosure 2 of this Directive. See the Glossary for the definition of “reasonable.”

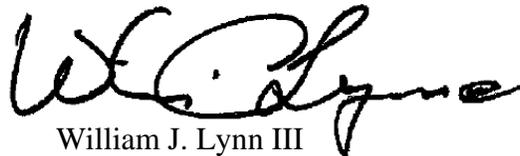
f. The workforce mix (military, civilian, contractor personnel) shall be established to accomplish Defense missions commensurate with acceptable risk. See DoDI 1100.22 (Reference (h)) for determining appropriate workforce mix.

5. RESPONSIBILITIES. See Enclosure 3.

6. INFORMATION REQUIREMENTS. The annual reporting requirements in Enclosure 2, subparagraph 1.b.(12), is exempt from licensing in accordance with paragraph C4.4.7 of DoD Manual 8910.1-M (Reference (i)).

7. RELEASABILITY. UNLIMITED. This Directive is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE. This Directive is effective upon its publication to the DoD Issuances Website.



William J. Lynn III
Deputy Secretary of Defense

Enclosures

1. References
 2. Authorizations and Restrictions
 3. Responsibilities
- Glossary

ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5210.56, "Use of Deadly Force and the Carrying of Firearms by DoD Personnel Engaged in Law Enforcement and Security Duties," November 1, 2001 (hereby cancelled)
- (b) Deputy Secretary of Defense Memorandum, "DoD Use of Force Policy," July 11, 2006 (hereby cancelled)
- (c) Section 1585 of title 10, United States Code
- (d) DoD Instruction 5200.08, "Security of DoD Installations and Resources and the DoD Physical Security Review Board (PSRB)," December 10, 2005
- (e) DoD 5200.08-R, "Physical Security Program," April 9, 2007
- (f) Chairman of the Joint Chiefs of Staff Instruction 3121.01B, "Standing Rules of Engagement/Standing Rules for the Use of Force for U.S. Forces," 13 June 2005
- (g) DoD Instruction 5210.84, "Security of DoD Personnel at U.S. Missions Abroad," January 22, 1992
- (h) DoD Instruction 1100.22, "Policy and Procedures for Determining Workforce Mix," April 12, 2010
- (i) DoD 8910.1-M, "Department of Defense Procedures for Management of Information Requirements," June 30, 1998
- (j) DoD 5200.2-R, "Personnel Security Program," January 1987
- (k) 18 U.S.C. 922(g)(9)
- (l) DoD Instruction 6400.06, "Domestic Abuse Involving DoD Military and Certain Affiliated Personnel," August 21, 2007
- (m) DoD Instruction O-2000.22, "Designation and Physical Protection of DoD High Risk Personnel (HRP)," January 22, 2008
- (n) DoD 5100.76-M, "Physical Security of Sensitive Conventional Arms, Ammunition, and Explosives," August 12, 2000
- (o) DoD Instruction 5200.33, "Defense Courier Operations (DCO)," May 19, 2007
- (p) Sections 1540.111 and 1544.219 of title 49, Code of Federal Regulations, as amended
- (q) Defense Transportation Regulation 4500.9-R, "Defense Transportation Regulation (DTR)," Parts I-VII, current edition
- (r) DoD Directive 3000.3, "Policy for Non-Lethal Weapons," July 9, 1996
- (s) *Graham v. Connor*, 490 U.S. 386 (1989)

ENCLOSURE 2

AUTHORIZATIONS AND RESTRICTIONS

1. FIREARMS

a. Suitability and Screening

(1) DoD Components shall comply with the provisions in DoD 5200.2-R (Reference (j)) and ensure persons carrying firearms are suitable for the position and have undergone the background investigation appropriate for the duties performed.

(2) The 1968 Gun Control Act and subsequent 1996 Lautenberg Amendment, which are codified in 18 U.S.C 922(g)(9) (Reference (k)), prohibit anyone convicted of a felony, a domestic violence misdemeanor, or subject to a domestic violence protective order to ship, transport, possess, or receive firearms or ammunition. Reference (h), as enacted and amended, contains a public interest exception for all but one of the nine disqualification categories, specifically subsection 922(g)(9), the Lautenberg Amendment. This amendment makes it a felony for anyone who has ever been convicted of a domestic violence misdemeanor prior to or after the passage of the September 30, 1996 law to possess firearms or ammunition. There is no exception for law enforcement or military personnel with qualifying convictions. It is illegal to provide a firearm or ammunition to anyone convicted of such a domestic violence misdemeanor.

(3) DoD Components shall comply with the provisions of Reference (k) and ensure that persons carrying firearms have been properly screened in accordance with DoDI 6400.06 (Reference (l)) and have completed and submitted DD Form 2760, "Qualification to Possess Firearms or Ammunition," located at <http://www.dtic.mil/whs/directives/infomgt/forms/ddforms2500-2999.htm>. DoD Components shall post Lautenberg Amendment notices and procedures for its implementation in all facilities in which Government firearms or ammunition are stored, issued, disposed of, or transported, in accordance with Reference (l).

(4) DoD Component commanders or civilian directors shall evaluate the need to suspend arming authorizations of DoD personnel who are under investigation or have been arrested or apprehended for incidents involving domestic violence or other appropriate matters. If suspension is warranted, any Government-issued firearms or ammunition (including firearm non-munitions) or non-lethal weapons (NLW) shall be retrieved until the matter is resolved and a final determination is made.

b. Authorizing Arming

(1) Personnel may be authorized to be armed, consistent with paragraphs 4.a. and 4.b. above the signature of this Directive.

(2) Personnel authorized to be armed shall be thoroughly briefed on their individual responsibilities and shall receive mandatory training in accordance with this Directive, applicable DoD issuances, and DoD Component requirements and standards when performing:

(a) Duties related to security or law and order duties, criminal investigations, or counterintelligence investigations.

(b) Protection of the President of the United States, high-ranking Government officials, DoD personnel, and foreign dignitaries. See DoDI O-2000.22 (Reference (m)) for guidance regarding protection of high-risk personnel.

(c) Safeguarding classified information, systems, equipment, and other classified Government assets.

(d) Security of Government installations and sites, property, and persons, to include prisoners, in relation to a DoD mission or activity.

(e) Personal protection in overseas locations when the supporting intelligence center or office with responsibility comparable to a headquarters intelligence center or supporting defense criminal investigation organization (DCIO) or MCIO identifies a credible and specific threat against DoD person(s) in that regional area. Firearms shall not be issued indiscriminately for the purpose of personal protection. Before individuals are authorized to be armed, the Head of the DoD Component (or designee) must evaluate the probability of the threat in a particular location, the adequacy of support by DoD protective personnel, the adequacy of protection by U.S. or host-nation authorities, and the effectiveness of other means to avoid attacks. The Head of the DoD Component concerned (or designee) shall only grant authorization to carry a firearm for personal protection on a case-by-case basis and only for the duration of the specific assignment or threat.

(f) Non-duty, short-notice recall. Designated personnel while in a non-duty, short-notice recall status are required to respond to exigent security or suspicious activities or criminal incidents. DoD Components shall ensure compliance with subparagraphs 1.b.(9), (10), and (11) of this enclosure.

(3) Security, law enforcement, or other designated personnel who routinely engage in duties or activities where firearms proficiency is required shall satisfactorily complete DoD Component-approved training every 12 months, including firearms familiarization (classroom academic), live-fire qualification, and use-of-force training. In addition, DoD Components will consider periodic sustainment training for personnel to maintain firearms familiarization and proficiency.

(a) Personnel authorized to carry a firearm pursuant to this Directive who do not fall into the category of individuals in subparagraph 1.b.(3) of this enclosure shall satisfactorily complete DoD Component-approved firearm and use-of-force training every 12 months, as a minimum.

(b) For circumstances that critically affect mission accomplishment, Heads of the DoD Components (or designees) may grant extensions for live-fire qualification up to 12 months, and not to exceed a total qualification period of 24 months for personnel in subparagraph 1.b.(3)(a) of this enclosure. Extensions do not change the requirement for firearms familiarization and use-of-force training. The use of firearm training simulators, although not a substitute for live-fire qualification, is recommended for personnel to maintain firearm fundamentals.

(4) All arming authorizations shall be in writing and signed (e.g., ink or digitally) by the appropriate authorizing official(s) before a firearm is issued to an individual. Exceptions to this rule may be made in situations that require immediate action to protect lives or vital Government assets. Written authorization is not required to be maintained by the individual carrying a firearm, except as noted in subparagraph 1.c.(1) of this enclosure or if determined necessary or appropriate by the issuing authority. Current individual qualification results, including authorized extensions, shall be documented and retained by the issuing authority for as long as the individual has authorization to be armed.

(5) DoD personnel will have available and use appropriate personal protective equipment commensurate with the duty or task assigned for individual safety and mission assurance.

(6) DoD personnel shall carry only Government-issued firearms and ammunition when performing official duties. The IG, DoD, or Secretaries of the Military Departments may authorize an exception to this requirement for a DCIO or MCIO.

(7) Individuals who are authorized to be armed shall comply with DoD Component implementing safeguards to prevent loss, theft, and unauthorized use of firearms and ammunition.

(8) Personnel shall return firearms to a designated armory or secure storage area for accountability and safekeeping upon completion of their official duties or training, in accordance with DoD Component procedures.

(9) The Heads of the DoD Components, or their designees, may authorize DoD personnel to carry and retain a Government-issued firearm off DoD property for official purposes. DoD Components, in coordination with DoD Component legal counsel, shall prescribe specific guidance governing DoD jurisdiction, authority, and lawful use of force.

(10) The Heads of the DoD Components, or their designees, may authorize personnel to retain, transport, and store Government-issued firearms at Government or non-government locations for the following circumstances:

(a) For situations that warrant immediate action to protect DoD assets or person's lives. The authorization shall be for as long as the situation or threat exists. For continuing circumstances, the Head of the DoD Component, or their designees, shall periodically review the need for the authorization.

(b) When personnel are authorized to be armed for personal protection according to subparagraph 1.b.(2)(e) of this enclosure.

(c) When authorized to participate in official training programs (e.g., Federal Law Enforcement Training Center).

(d) When authorized by a DCIO/MCIO.

(11) Personnel authorized to retain, transport, and store Government-issued firearms at Government or non-government locations shall be provided a safety-lock device and instructions for its proper use. DoD Components, dependent on the situation or firearm type, shall also prescribe physical security measures or delineate compensatory measures in accordance with DoD 5100.76-M (Reference (n)) and DoD Component regulations. DoD Components are responsible for providing guidance and procedures to prevent loss, theft, and unauthorized carrying or use of firearms. Firearms shall be returned or retrieved for DoD Component accountability and safekeeping when, at any time, the security of the firearm could be compromised.

(12) Firearms and ammunition accountability and losses shall be reported in accordance with Reference (n).

(13) Firearms, associated components, and ammunition are prohibited from entering the defense courier network, in accordance with DoDI 5200.33 (Reference (o)).

c. Carrying Firearms Aboard Commercial or Military Aircraft

(1) Commercial Aircraft. DoD personnel shall comply with applicable provisions of sections 1540.111 and 1544.219 of title 49, Code of Federal Regulations (Reference (p)), and Transportation Security Administration (TSA) regulations and guidance.

(a) DoD personnel authorized to carry a firearm aboard commercial aircraft shall meet the requirements of section 1544.219 of Reference (p). For training requirements and other information, contact the TSA Contact Center at www.tsa.gov/lawenforcement/programs/traveling_with_guns.shtm.

(b) DoD personnel authorized to transport a firearm in checked baggage shall meet the requirements of section 1540.111 of Reference (p). For additional information, contact the TSA Contact Center at www.tsa.gov.

(c) Air carriers may have varying requirements regarding firearms and the amount of ammunition that may be placed in checked baggage. Travelers should contact the air carrier regarding its policies.

(2) Military Aircraft. Individuals authorized to transport firearms shall comply with applicable provisions of Defense Transportation Regulation 4500.9-R (Reference (q)) for military or civilian military-chartered aircraft requirements.

2. USE OF FORCE

a. DoD personnel shall only use the amount of force reasonably necessary to carry out their duties.

b. Force must be reasonable in intensity, duration, and magnitude.

c. There is no requirement to delay force or sequentially increase force to resolve a situation or threat. DoD personnel will attempt to de-escalate applied force if the situation and circumstances permit. DoD personnel will warn persons and give the opportunity to withdraw or cease threatening actions when the situation or circumstances permit.

d. Warning shots are prohibited. Warning shots are authorized from U.S. Navy and Naval Service vessels and piers in accordance with Reference (f).

e. Firearms shall not be fired solely to disable a moving vehicle. When deemed as a threat to DoD assets or persons' lives, DoD personnel shall use reasonably necessary force and caution when firearms are directed at a vehicle borne threat.

f. DoD personnel shall satisfactorily complete use-of-force training every 12 months as identified in subparagraphs 1.b (3) or 1.b (3)(a) of this enclosure.

3. LESS-LETHAL FORCE

a. DoDD 3000.3 (Reference (r)) establishes DoD policy for the development and employment of NLW. For the purpose of this Directive, and in the context of use of force, the term "less-lethal force" is used as there is no guarantee that NLWs will not cause severe injury or death. Employment of less-lethal force may be used with a reasonable amount of force necessary to overcome the resistance offered to detain or effect a lawful arrest or apprehension or accomplish the lawful performance of assigned duties.

b. Less-lethal force can cause severe injury or death. DoD personnel using NLW, as well as the party against which the tactic is used, will receive immediate medical attention.

c. Less-lethal force may be used:

(1) Against persons assaulting other persons or own self to prevent injury or continuation of the assault when alternatives to the use of force have failed or are not available.

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

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

- (4) To prevent the escape of a prisoner.
- (5) To prevent the destruction of DoD property.
- (6) Against animals menacing or attacking a person or own self.

4. DEADLY FORCE

a. The Heads of the DoD Components shall consult as appropriate with the Department of Defense or DoD Component General Counsels, or their designees, for legal sufficiency of the DoD Component's implementing guidance on the use of deadly force. The Heads of the DoD Components, or their designees, may impose further restrictions on the use of deadly force if deemed necessary in their judgment and if such restrictions would not unduly compromise U.S. national security interests or put DoD personnel unduly at risk.

b. Deadly force is justified only under conditions of necessity and may be used only when lesser means cannot be reasonably employed or have failed and the risk of death or serious bodily harm to innocent persons is not increased by its use.

c. An oral warning shall be given prior to the use of deadly force if the situation permits and does not increase the danger to DoD personnel or others.

d. Deadly force is authorized under the following circumstances:

(1) Inherent Right of Self-Defense. When there is reasonable belief that a person(s) poses an imminent threat of death or serious bodily harm to DoD persons. Self-defense includes defense of other DoD persons in the vicinity.

(2) Defense of Others. In defense of non-DoD persons in the vicinity when directly related to the assigned activity or mission.

(3) Assets Vital to National Security. When deadly force reasonably appears to be necessary to prevent the actual theft or sabotage of assets vital to national security.

(4) Inherently Dangerous Property. When deadly force reasonably appears to be necessary to prevent the actual theft or sabotage of inherently dangerous property.

(5) National Critical Infrastructure. When deadly force reasonably appears to be necessary to prevent the sabotage or destruction of national critical infrastructure defined as President-designated public utilities, or similar critical infrastructure, vital to public health or safety, the damage to which the President of the United States determines would create an imminent threat of death or serious bodily harm or injury.

(6) Serious Offenses Against Persons. When deadly force reasonably appears to be necessary to prevent the commission of a serious offense, one that involves imminent threat of death or serious bodily harm or injury (e.g., sniping), including the defense of other persons where deadly force is directed against the person threatening to commit the offense (e.g., murder, armed robbery, or aggravated assault).

(7) Arrest or Apprehension. When deadly force reasonably appears to be necessary to arrest or apprehend when there is probable cause to believe a person has committed a serious offense and there is an imminent threat of death or serious bodily harm to DoD personnel or others in the vicinity as referred to in subparagraphs 4.d.(3) through 4.d.(6) of this enclosure.

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

e. Deadly force may be directed against vicious animals, when necessary in self-defense or in defense of others.

ENCLOSURE 3

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE (USD(I)). The USD(I) shall monitor compliance with this Directive and provide policy oversight in coordination with the OSD Principal Staff Assistants, the Chairman of the Joint Chiefs of Staff, the Secretaries of the Military Departments, the IG, DoD, and the General Counsel of the Department of Defense, as appropriate.
2. IG DoD. The IG, DoD, in addition to the responsibilities in section 3 of this enclosure, shall monitor DCIO compliance with this Directive.
3. DIRECTOR OF ADMINISTRATION AND MANAGEMENT (DA&M). The DA&M shall authorize arming of assigned OSD Component personnel engaged in security, law enforcement, or counterintelligence activities in accordance with this Directive.
4. HEADS OF THE DoD COMPONENTS. The Heads of the DoD Components shall:
 - a. Authorize arming of assigned Component personnel engaged in security, law enforcement, or counterintelligence activities in accordance with this Directive.
 - b. Direct development of criteria, establish implementing procedures, and monitor compliance regarding carrying firearms and the use of force in accordance with this Directive and in compliance with applicable Federal, State, and local laws or host-nation laws or international agreements.
5. CHAIRMAN OF THE JOINT CHIEFS OF STAFF. The Chairman of the Joint Chiefs of Staff, in addition to the responsibilities in section 4 of this enclosure, shall provide standing rules for the use of force in accordance with this Directive.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

DCIO	Defense Criminal Investigation Organization
DoDD	DoD Directive
DoDI	DoD Instruction
IG, DoD	Inspector General of the Department of Defense
MCIO	Military Criminal Investigative Organizations
NLW	non-lethal weapons
TSA	Transportation Security Administration
U.S.C.	United States Code
USD(I)	Under Secretary of Defense for Intelligence

PART II. DEFINITIONS

Unless otherwise indicated, these terms and their definitions are for the purpose of this Directive.

armed. Equipped with a firearm that has a live round of ammunition in a magazine inserted into the firearm, chamber, or cylinder.

assets vital to national security. President-designated non-DoD or DoD property, the actual theft or sabotage of which the President determines would seriously jeopardize the fulfillment of a national defense mission and would create an imminent threat of death or serious bodily harm. Examples include, but are not limited to: nuclear weapons; nuclear command and control facilities; special nuclear materials; and designated restricted areas containing strategic operational assets, sensitive codes, or special access programs.

deadly force. Force that a person uses causing, or that a person knows or should know would create a substantial risk of causing, death or serious bodily harm or injury.

firearm. Defined in Reference (k).

force. Physical presence, action, or exercise of strength to compel another to act or refrain from certain behavior.

imminent threat. The determination of whether a particular threat or danger is “imminent” is based on an assessment of all the circumstances known to DoD personnel at the time. “Imminent” does not necessarily mean “immediate” or “instantaneous.”

inherently dangerous property. Property that, if in the hands of an unauthorized individual, would create an imminent threat of death or serious bodily harm. On-scene commanders are authorized to determine if property is inherently dangerous. Examples include, but are not limited to: portable missiles; rockets; arms; ammunition; explosives; chemical agents; biological select agents and toxins; and special nuclear materials.

less-lethal force. The degree of force used that is less likely to cause death or serious physical injury to overcome violent encounters and appropriately meet the levels of resistance encountered.

MCIO. U.S. Army Criminal Investigation Command, Naval Criminal Investigative Service, and Air Force Office of Special Investigations.

national critical infrastructure. For the purpose of DoD operations, President-designated public utilities, or similar critical infrastructure, vital to public health or safety, the damage to which the President determines would create an imminent threat of death or serious bodily harm or injury.

NLW. Weapons, devices, and munitions that are explicitly designed and primarily employed to incapacitate targeted personnel or material immediately, while minimizing fatalities, permanent injury to personnel, and undesired damage to property in the target area or environment. NLW are intended to have reversible effects on personnel or materiel.

safety-lock device

A device that, when installed on a firearm and secured by a key or a mechanically, electronically, or an electro-magnetically operated combination lock, prevents the firearm from being discharged without first deactivating or removing the device from the lock.

A mechanical, an electrical, or an electro-magnetic locking mechanism incorporated into the design of the firearm that prevents its discharge by those who do not have access to the key or other unlocking devices.

serious bodily harm or injury. Bodily harm or injury that involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

reasonable. The U.S. Supreme Court established the U.S. Constitution Fourth Amendment standard of “objective reasonableness” as the appropriate standard for assessing the use of force in the context of making an arrest or other seizure of a person. The Supreme Court’s decision regarding objective reasonableness is *Graham v. Connor*, 490 U.S. 386 (1989) (Reference (s)). Personnel involved in law enforcement and security duties utilize use-of-force options ranging

from simple displays of authority, to the application of various levels of less-lethal force, to the use of deadly force. Reasonableness of a particular use of force must be judged from the perspective of a reasonable DoD employee on the scene. Reasonable or reasonably means facts and circumstances, including the reasonable inferences drawn there from, known to the DoD employee at the time of the use of deadly force, that would cause a reasonable person to conclude that the point at issue is probably true. The reasonableness of a belief or decision must be viewed from the perspective of the employee on the scene, who may have been forced to make split-second decisions in circumstances that were tense, unpredictable, and rapidly evolving. Reasonableness is not to be viewed from the calm vantage point of hindsight.