

Department of the Army, DoD

§ 633.12

commander may impose further restrictions on using deadly force. (Restrictions should not unduly compromise U.S. security interests).

(d) Security criteria and standards for protection of nuclear weapons (paragraph (c) of this section AR 50-5-1) and for chemical agents (paragraph (c) of this section AR 50-6-1) also apply.

§ 632.5 Use of firearms.

(a) If it becomes necessary to use a firearm in any of the circumstances described in § 632.4 of this part, observe the following precautions when possible:

(1) Give an order to halt before firing.

(2) Do not fire if shots are likely to harm innocent bystanders.

(3) Since warning shots could harm innocent bystanders, avoid firing them. However, when lesser degrees of force have failed, the law enforcement or security person may judge that warning shots would help to control the situation without using deadly force. If able to avoid hazards to innocent persons in these cases, fire warning shots.

(4) Aim to disable. At times it may be difficult to fire with enough precision to ensure disabling rather than killing. If the use of firearms are otherwise authorized by this regulation, such circumstances will not rule out their use.

§ 632.6 Administrative instructions.

(a) Commanders will ensure that all persons assigned to law enforcement, security, or US military prisoners' guard duties will, before performing these duties—

(1) Receive instructions on regulations regarding use of force.

(2) Show knowledge and skill in the use of—

(i) Unarmed defense techniques.

(ii) MP club.

(iii) Individual chemical aerosol irritant projectors.

(iv) Their assigned firearms.

(b) Commanders will also—

(1) Provide periodic refresher training to ensure continued proficiency and updated knowledge in these skills. (Include applicable host nation requirements.)

(2) Require MPs with law enforcement duties to qualify yearly with their assigned handguns.

(3) Require interior guards to receive instructions regarding use of force. (Give periodic refresher training to ensure continued familiarity with regulations.)

(c) Requirements concerning use of the MP club and chemical aerosol irritant projectors apply only when these weapons are issued items or are carried on duty.

(d) FM 19-5 contains procedures and methods for using unarmed defense techniques and the MP club.

PART 633—INDIVIDUAL REQUESTS FOR ACCESS OR AMENDMENT OF CID REPORTS OF INVESTIGATION

Sec.

633.11 Access to CID reports.

633.12 Amendment to CID reports.

633.13 Submission of requests.

AUTHORITY: Sec. 3012, 70A Stat. 157; 10 U.S.C. 3012.

SOURCE: 44 FR 44156, July 27, 1979, unless otherwise noted.

§ 633.11 Access to CID reports.

All requests for access to CID reports made under the Privacy or Freedom of Information Acts will be processed in accordance with AR 340-21 and AR 25-55, respectively.

[78 FR 29019, May 17, 2013]

§ 633.12 Amendment to CID reports.

USACIDC reports of investigation (ROI) are exempt from the amendment provisions of the Privacy Act and AR 340-21. Requests for amendment will be considered only under the provisions of this regulation. Requests to amend USACIDC reports will be granted only if the individual submits new, relevant and material facts that are determined to warrant their inclusion in or revision of the ROI. The burden of proof is on the individual to substantiate the request. Requests to delete a person's name from the title block will be granted only if it is determined that there is not probable cause to believe that the individual committed the offense for which he or she is listed as a subject. It is emphasized that the decision to list a person's name in the title

§ 633.13

block of a USACIDC report of investigation is an investigative determination that is independent of whether or not subsequent judicial, nonjudicial or administrative action is taken against the individual. Within these parameters, any changes in the ROI rest within the sole discretion of the Commanding General. USACIDC, whose decision will constitute final action on behalf of the Secretary of the Army with respect to this regulation.

§ 633.13 Submission of requests.

Requests for access to, or amendment of, USACIDC investigative reports will be forwarded to the Director, U.S. Army Crime Records Center (CICR-FP), 27130 Telegraph Road, Quantico, VA 22134.

[78 FR 29019, May 17, 2013]

PART 634—MOTOR VEHICLE TRAFFIC SUPERVISION

Subpart A—Introduction

Sec.

- 634.1 Purpose.
- 634.2 References.
- 634.3 Explanation of abbreviations and terms.
- 634.4 Responsibilities.
- 634.5 Program objectives.

Subpart B—Driving Privileges

- 634.6 Requirements for driving privileges.
- 634.7 Stopping and inspecting personnel or vehicles.
- 634.8 Implied consent.
- 634.9 Suspension or revocation of driving or privately owned vehicle registration privileges.
- 634.10 Remedial driver training programs.
- 634.11 Administrative due process for suspensions and revocations.
- 634.12 Army administrative actions against intoxicated drivers.
- 634.13 Alcohol and drug abuse programs.
- 634.14 Restoration of driving privileges upon acquittal of intoxicated driving.
- 634.15 Restricted driving privileges or probation.
- 634.16 Reciprocal state-military action.
- 634.17 Extensions of suspensions and revocations.
- 634.18 Reinstatement of driving privileges.

Subpart C—Motor Vehicle Registration

- 634.19 Registration policy.

32 CFR Ch. V (7–1–13 Edition)

- 634.20 Privately owned vehicle operation requirements.
- 634.21 Department of Defense Form 2220.
- 634.22 Termination or denial of registration.
- 634.23 Specified consent to impoundment.

Subpart D—Traffic Supervision

- 634.24 Traffic planning and codes.
- 634.25 Installation traffic codes.
- 634.26 Traffic law enforcement principles.
- 634.27 Speed-measuring devices.
- 634.28 Traffic accident investigation.
- 634.29 Traffic accident investigation reports.
- 634.30 Use of traffic accident investigation report data.
- 634.31 Parking.
- 634.32 Traffic violation reports.
- 634.33 Training of law enforcement personnel.
- 634.34 Blood alcohol concentration standards.
- 634.35 Chemical testing policies and procedures.
- 634.36 Detection, apprehension, and testing of intoxicated drivers.
- 634.37 Voluntary breath and bodily fluid testing based on implied consent.
- 634.38 Involuntary extraction of bodily fluids in traffic cases.
- 634.39 Testing at the request of the apprehended person.
- 634.40 General off installation traffic activities.
- 634.41 Compliance with State laws.
- 634.42 Civil-military cooperative programs.

Subpart E—Driving Records and the Traffic Point System

- 634.43 Driving records.
- 634.44 The traffic point system.
- 634.45 Point system application.
- 634.46 Point system procedures.
- 634.47 Disposition of driving records.

Subpart F—Impounding Privately Owned Vehicles

- 634.48 General.
- 634.49 Standards for impoundment.
- 634.50 Towing and storage.
- 634.51 Procedures for impoundment.
- 634.52 Search incident to impoundment based on criminal activity.
- 634.53 Disposition of vehicles after impoundment.

Subpart G—List of State Driver's License Agencies

- 634.54 List of State Driver's License Agencies.

AUTHORITY: 10 U.S.C. 30112(g); 5 U.S.C. 2951; Pub. L. 89-564; 89-670; 91-605; and 93-87.