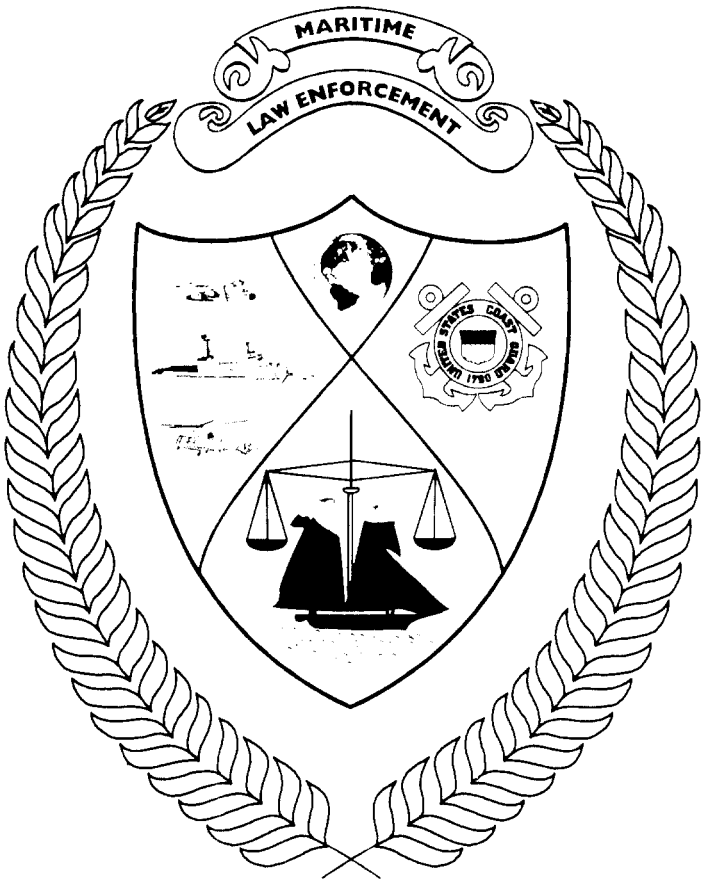
U.S. Department
of Transportation

**United States
Coast Guard**

BOARDING OFFICER/ BOARDING TEAM MEMBER PERSONAL QUALIFICATION STANDARD (PQS)

STANDARD ANSWER BOOK (SAB)



COMDTINST M16247.7

U.S. Department
of Transportation

**United States
Coast Guard**

Commandant
U.S. Coast Guard

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COMDTINST M16247.7
AUG 5 1997

COMMANDANT INSTRUCTION M16247.7

Subj: BOARDING OFFICER/BOARDING TEAM MEMBER PERSONAL QUALIFICATION STANDARD (PQS) STANDARD ANSWER BOOK (SAB)

Ref: (A) Boarding Officer/Boarding Team Member Personal Qualification Standard (PQS), COMDTINST M16247.3 (series)

1. PURPOSE. This manual is promulgated to aid in qualifying personnel as Coast Guard Boarding Officers and Boarding Team Members.

2. ACTION. Area and district commanders, commanders of maintenance and logistics commands, and unit commanding officers shall ensure that the provisions of this manual are followed in conducting unit law enforcement training programs.

3. DIRECTIVES AFFECTED. This manual replaces COMDTINST M16247.2 dated 14 May 1987 which is canceled.

4. DISCUSSION. All unit commanders shall use this instruction in conjunction with the Boarding Officer/Boarding Team Member PQS, COMDTINST M16247.3 (series) to qualify and recertify boarding officers and boarding team members. This instruction has been created to give unit commanders standard answers for boarding team member and boarding officer qualification.

DISTRIBUTION - SDL No. 135

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4. a. The Personal Qualification Standard (PQS) Standard Answer Book (SAB), COMDTINST M16247.7, is divided into three parts:

   Part 1 - Boarding Team Member

   Part 2 - Boarding Officer

   Part 3 - Specialty and Optional

5. CHANGES. Subsequent changes will be coordinated by Commandant (G-OPL). Unit commanding officers are urged to provide recommendations for improvement to this manual vial the chain of command.

6. FORMS/REPORTS. There are no Coast Guard forms required for this manual.

JAMES D. HULL
Director of Operations Policy

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10. Confined Space Entry
11. Enforce CFVISA Regulations
12. Complete an Enforcement Action Rept.
13. Complete an Offense Investigation Rpt
14. Complete a SEER
15. Complete an IIR

Chapter 1
Physical Fitness Standards

Overview

Introduction

This task describes the physical fitness standards that all boarding team members are required to meet.

In this chapter

This chapter contains the following information:

PQS Items	See Page
1. Arm and Shoulder Strength	1-B-1
2. Abdominal and Trunk Strength	1-B-2
3. Flexibility	1-B-3
4. Endurance	1-B-6

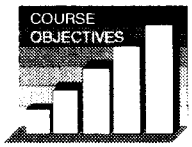
Fitness Standards

FITNESS STANDARDS					
	Push-ups	**Sit-ups**	**Sit and Reach**	**1.5 Mile Run**	**12 Minute Swim**
Males					
under 30	29	38	16.5"	12:51	500 yds.
30 to 39	24	35	15.5"	13:36	450 yds.
40 to 49	18	29	14.25"	14:29	400 yds.
Females					
under 30	23	32	19.25"	15:26	400 yds.
30 to 39	19	25	18.25"	15:57	350 yds.
40 to 49	13	20	17.25"	16:58	300 yds.

Section A. Task Outline

Overview

Objective

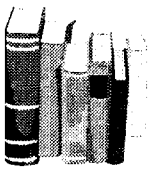


Boarding team members shall be informed of the required standards of physical fitness. Knowing these standards will ensure that personnel are able to accurately gauge their level of fitness and make improvements where necessary.

Policy

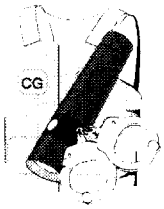
All boarding team personnel are required to qualify annually with the physical fitness requirements of Task 1-01 of the Boarding Officer/Boarding Team Member PQS.

References



Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids



- Box
- Yardstick
- Timepiece with second hand or stop watch

Section B. PQS Task 1-01 Physical Fitness Standards

1. Arm and shoulder strength

One minute push-ups

Perform as many correct push-ups as possible in one minute.

Step	Procedure
1	Start with hands shoulder-width apart.
2	Males will be on hands and toes only, females will place knees on the deck and position hands slightly forward of shoulders.
3	In the up position, the elbows must be fully extended.
4	For a proper push-up to be completed, lower the body until the chest is within one fist distance of the deck, and then return to the up position. Note: The back must be kept straight the entire time.

Fitness Standards

Age	Push-ups
Males	
under 30	29
30 to 39	24
40 to 49	18
Females	
under 30	23
30 to 39	19
40 to 49	13

2. Abdominal and trunk strength

One minute sit-ups

Perform as many correct sit-ups as possible in one minute.

Step	Procedure
1	Lie on back, bend knees, place heels flat on the floor about 18 inches away from buttocks, and keep fingers loosely on side of the head. Hands may not come off of side of head for sit-up to count. Note: Feet may be anchored.
2	In the up position, elbows will touch the knees, then return so that both shoulder blades are touching the deck.
3	The buttocks should never leave the deck. Note: Any resting should be done in the up position.

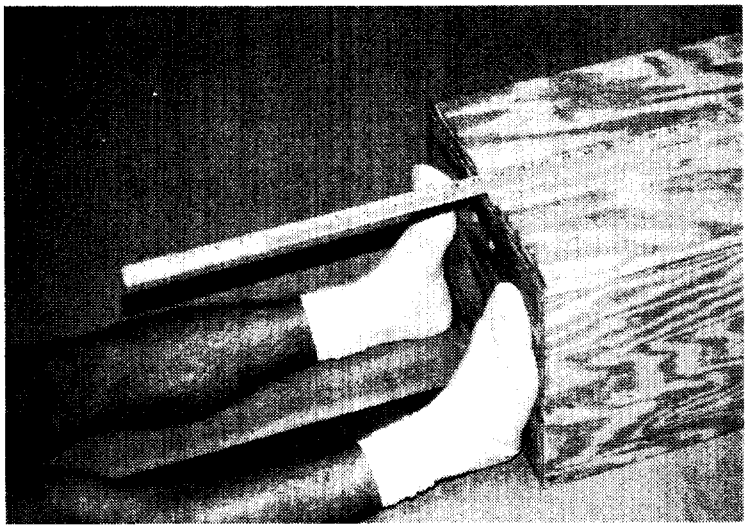
Fitness Standards

Age	Sit-ups
Males	
under 30	38
30 to 39	35
40 to 49	29
Females	
under 30	32
30 to 39	25
40 to 49	20

3. Flexibility

Sit and reach

Place a yardstick on top of a box with the 15-inch mark even with the edge of the box.



Step	Procedure
1	Warm up and stretch sufficiently.
2	Remove shoes and sit with feet flat against the box. Note: The 15-inch mark is between the individual's feet with the end of the yardstick, 0 inches through 15 inches, extending forward towards the subject's knees.

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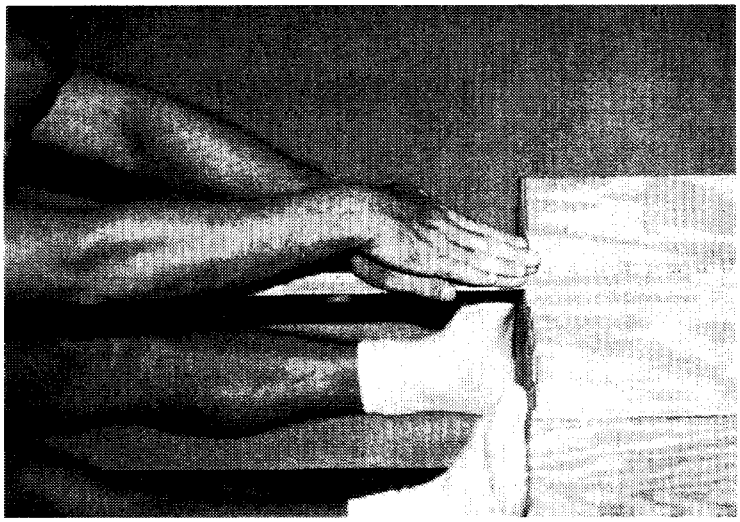
3. Flexibility, Continued

Sit and Reach
(continued)



3	Feet must be no more than eight (8) inches apart.
4	Place the hands exactly together, one on top of the other, with the fingers extended.

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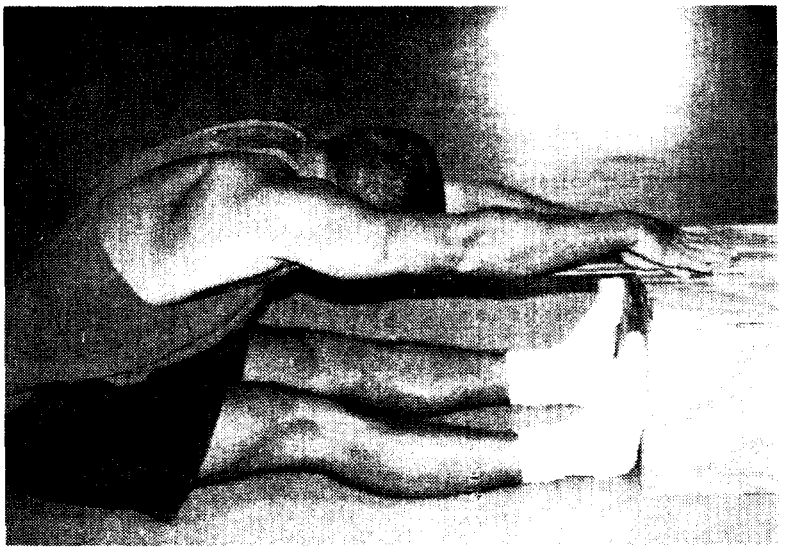
3. Flexibility, Continued

Sit and reach
(continued)



5	Keep the knees extended and the hands together.
6	Lean forward without lunging and reach as far down the yardstick as possible.
7	Record the reach to the nearest ½ inch.
8	Three trials are allowed to pass the minimum standard.

Fitness Standards

Age	Sit and Reach
Males	
under 30	16.5"
30 to 39	15.5"
40 to 49	14.25"
Females	
under 30	19.25"
30 to 39	18.25"
40 to 49	17.25"

4. Endurance

1.5 mile run/walk

For the endurance qualification, an individual will be required to run/walk 1.5 miles in 15 minutes, or perform a 12-minute swim.

Step	Procedure
1	Refrain from smoking or eating for two (2) hours prior to this test.
2	Warm up and stretch sufficiently.
3	Run or walk 1.5 miles in the required amount of time for the appropriate age bracket.
4	If possible, receive pacing assistance, either by having a trained pacer run alongside or by calling out lap times during the test.
5	Be forewarned not to start out too fast and not to run to complete exhaustion during the test.
6	At the end of the test, walk for an additional five (5) minutes to aid in recovery.

12-minute swim

The 12-minute swim is an alternative method to fulfill the endurance qualification.

Step	Procedure
1	Warm up and stretch sufficiently.
2	Swim the required distance for the appropriate age bracket in 12 minutes.
3	Use whichever stroke desired and rest as necessary.

Fitness Standards

Age Males	1.5 mile run/walk	12 Minute Swim
under 30	12:51	500 yds.
30 to 39	13:36	450 yds.
40 to 49	14:29	400 yds.

Continued on next page

4. Endurance, Continued

Fitness Standards
(continued)

Age Females	1.5 mile run/walk	12 Minute Swim
under 30	15:26	400 yds.
30 to 39	15:57	350 yds.
40 to 49	16:58	300 yds.

Chapter 2
M-9 Weapon Certification

Overview

Introduction

This task describes the weapons certification boarding team members are required to have.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Present documentation showing completion of the following: ♦ Basic Marksmanship Course ♦ Practical Pistol Course ♦ Judgmental Pistol Course	2-B-1
2. Complete M9 PQS (COMDTINST M8370.11)	2-B-2

Section A. Task Outline

Overview

Objective

The objective of this task is to inform boarding team members of the required weapons certification. Awareness of this requirement will ensure that personnel obtain and keep current the necessary certifications.

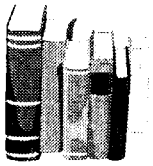
Policy

No boarding team member is authorized to carry or use a weapon unless the member:

- has been adequately trained in its use (i.e., proficiency and judgment) in accordance with current directives;
- is thoroughly familiar with the USCG Use of Force Policy;
- is determined by the CO/OIC to possess the temperament, maturity, and judgment to make reasonable and correct use of force decisions under pressure (all such determinations must be certified in writing unless an emergency situation precludes doing so); and
- has been adequately trained to use non-deadly force as necessary.

All boarding team members are required to complete Task 1-02 of the Boarding Officer/Boarding Team Member PQS for initial qualification, and recertification every six months thereafter.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer/Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST M16247.3 (series)
3. Small Arms Manual, COMDTINST M8370.11 (series)

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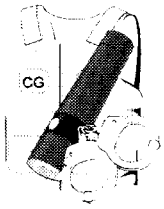
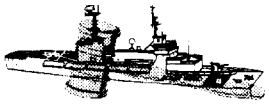
Overview, Continued

Equipment aids N/A





Section B. PQS Task 1-03 Authority and Jurisdiction

1. Demonstrate the ability to explain to the boating public your authority for conducting a boarding.

14 U.S.C. 89 in terms for the boating public

The Coast Guard is authorized by 14 U.S.C. 89 to board any vessel subject to the jurisdiction of the United States, on the high seas and waters over which the U.S. has jurisdiction, at any time day or night, for the prevention, detection, and suppression of violations of the laws of the United States.

U.S. vessels are subject to U.S. jurisdiction wherever located. However, exercising that jurisdiction in foreign territorial seas or internal waters requires the authorization of the foreign country.

2. Explain the scope of your responsibility and the jurisdictional limitations related to the various types of boardings conducted at your unit.

Scope of responsibility

The boarding officer is in charge of the boarding team and is responsible for all members of the boarding team and their conduct.

Non-rated personnel may not be boarding officers. They can be boarding team members under the direct supervision of the boarding officer. It is the role of the boarding team members to:

- Reflect credit onto the Coast Guard by the manner in which they conduct themselves during a boarding.
- Be responsive to the public for education of boating safety and legal requirements.
- Assist the boarding officer as necessary.

Jurisdictional limitations

Jurisdiction has three parts, all of which must be present for the Coast Guard to exercise its authority:

- Location (place or territory)
- Person or vessel
- Activity or offense

Limitations related to the various types of boardings are:

U.S. vessels

- U.S. federal law anywhere except exclusive U.S. state or foreign waters. Coastal nation permission required for boardings of U.S. vessels in foreign territorial waters.

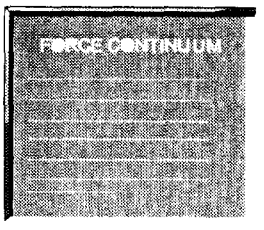
Foreign vessels

- Foreign vessels temporarily using waters subject to U.S. jurisdiction are exempt from U.S. numbering and safety carriage requirements.

Continued on next page

2. Explain the scope of your responsibility and the jurisdictional limitations related to the various types of boardings conducted at your unit, Continued.

Jurisdictional limitations (continued)	• Foreign government-owned non-commercial: not subject to U.S. jurisdiction in general • Foreign naval or military: not subject to U.S. jurisdiction in general



Chapter 4
Explain the Use of Force Continuum

Overview

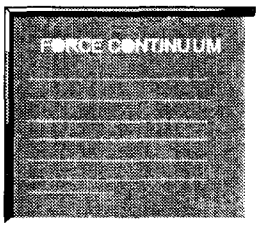
Introduction

This task describes the Commandant's policy regarding the use of force. The use of force continuum involves a gradual increase in the force applied to a subject to achieve compliance.

In this chapter

This chapter contains this information:

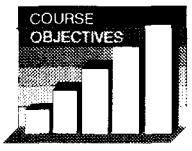
PQS Items	See Page
1. Describe in your own words the Coast Guard's use of force policy.	4-B-1
2. Explain the six levels of the use of force continuum.	4-B-3
3. Explain when it is appropriate to draw a weapon.	4-B-8
4. Explain and define the elements that must exist prior to the use of deadly force.	4-B-9
5. Explain the Coast Guard's policy concerning the use of warning shots by a member of a boarding team.	4-B-12



Section A. Task Outline

Overview

Objective



The objective of this task is to demonstrate knowledge of the use of force continuum. You must be able to correctly recite the use of force policy and its elements; define each of the six levels in the use of force policy; describe situations, including subject's actions (passive/active), in which you may use control techniques or draw your weapon; describe situations where deadly force may be used; and articulate the policy on the use of warning shots. Knowing these factors can build the confidence of boarding team members and may eliminate the need for an increased level of force during a boarding.

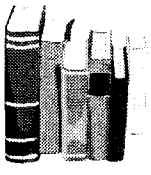
Policy

All USCG personnel involved in any aspect of ELT operations shall be fully qualified with Coast Guard use of force tactics.

Only such force as is reasonably necessary under the circumstances may be used. Force shall not be used where assigned duties can be discharged without it. Even when the use of force is permitted, the force used must be limited to the minimum necessary and must be designed to achieve the desired result with minimum injury to persons and property.

All boarding team members are required to complete Task 1-04 of the Boarding Officer/Boarding Team Member PQS for initial qualification, and re-certification every six months.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

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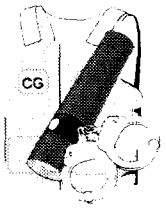
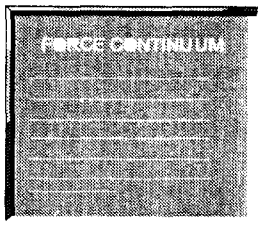
Overview, Continued

Equipment aids N/A





Section B. PQS Task 1-04 Explain the Use of Force Continuum

1. Describe in your own words the Coast Guard's use of force policy.

Use of force policy

The MLEM states: "Only such force as is reasonably necessary under the circumstances may be used. Force shall not be used where assigned duties can be discharged without it. Even when the use of force is permitted, the force used must be limited to the minimum necessary and must be designed to achieve the desired result with minimum injury to persons and property."

Minimum force necessary

If your duties can be completed without the use of force, as in most situations, then force may not be used. If force is needed to have someone comply with your directions, then use the least amount of force that will persuade them to follow directions.

The policy allows for the appropriate use of force as necessary under the circumstances, including deadly force. The force used must be designed to achieve the desired result with minimum injury to persons and property and must be limited to the minimum necessary. Sustained or additional force is not allowed once a subject complies with your direction. Excessive force may never be used.

Use of force circumstances

The "use of force" is permitted in the following circumstances:

- For self-defense (including defense of others)
- To prevent the commitment of a federal crime
- To effect a lawful arrest
- To protect property the USCG has the authority to protect
- To compel compliance with an order the USCG has the authority to issue

The Standing Rules of Engagement (SROE) issued by the Chairman, Joint Chiefs of Staff and adopted by the Coast Guard, implement the inherent right of self defense and provide guidance on the use of force for the accomplishment of non-law enforcement missions.

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1. Describe in your own words the Coast Guard's use of force policy, Continued.

Consultation with superiors	Law enforcement personnel are expected to make immediate decisions about the appropriate level of force to use without consulting higher authority. If time and circumstances allow, consultation with superiors before using force is encouraged.
No duty to retreat	USCG personnel performing law enforcement activities do not have a "duty to retreat" to avoid the use of force. However, retreat is an alternative and in some cases may be the most reasonable decision under the circumstances.

2. Explain the six levels of the use of force continuum.

Use of force continuum

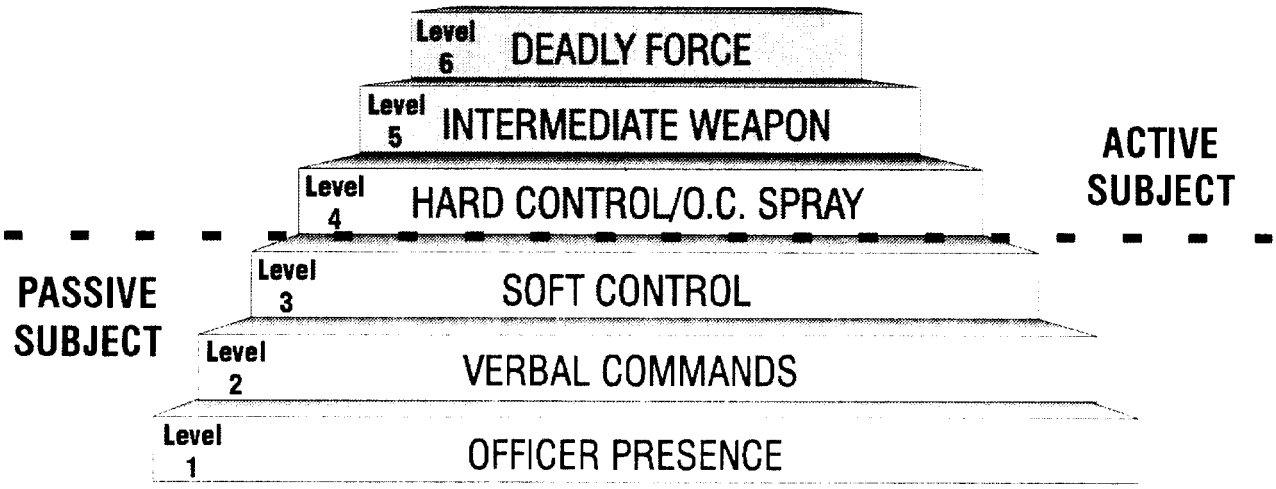
The use of force continuum was designed to help boarding team members understand the Coast Guard's use of force policy. The use of force continuum shows the different levels of force authorized when receiving certain types of resistance. The appropriate level of force that can be used is determined primarily by the subject's actions. Other factors, including the physical size and capabilities of the law enforcement team member compared to the subject, the number of subjects, the physical condition of both the member and the subject, and the environmental conditions must be evaluated when considering the use of force.

Six levels of force

The Coast Guard use of force continuum consists of six different levels of force:

Levels 1, 2, and 3 of the use of force continuum are designed to be used in dealing with a *passive subject*. There are two types of passive subjects, compliant and resistive. Level 2 techniques (verbal commands) will also be used with Level 3 techniques.

Levels 4, 5, and 6 of the use of force continuum are designed to be used in dealing with *active subject*. There are two types of active subjects, resistor and aggressor. Level 2 techniques (verbal commands) will also be used with Level 4, 5, or 6 techniques.



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2. Explain the six levels of the use of force continuum, Continued

Passive subjects

A *passive compliant* is a person who follows verbal requests (Levels 1 and 2 successful).

A *passive resistor* is a person who will not follow verbal requests or commands, and does not attempt to prevent the officer from taking him or her under physical control (Levels 1 and 2 unsuccessful, Level 3 successful).

Active subjects

An *active resistor* is a person who will not follow verbal requests or commands, and physically resists attempts by personnel to gain physical control of him or her. An active resistor does not directly threaten law enforcement personnel; the active resistor prevents boarding team members from completing their duties. Examples of an active resistor is an individual who locks arms, pulls or pushes away, or attempts any other evasive maneuver that prevents law enforcement personnel from gaining physical control (Levels 1, 2, and 3 unsuccessful, Level 4 successful).

An *active aggressor* is a person who will not follow verbal requests or commands, and attempts to cause physical harm to law enforcement personnel or others. The attempt is displayed through the subject's physical actions, including direct assault, assuming a fighting stance, or any other overt action that leads you to believe the subject intends to, and can, cause physical harm (Levels 1 and 2 unsuccessful, Level 3 unsuccessful, or the subject poses a threat serious enough to use Level 4, 5, or 6).

Level 1 (officer presence)

Officer presence combines the uniform (representing your authority); bearing (indicated by your professionalism and competence); and attitude (represented by your courteousness and interpersonal communication skills). The physical presence of a law enforcement officer will often create an atmosphere that fosters compliance with the law.

Officer presence begins the moment contact is made. Subjects will make an immediate reaction to your presence based on your initial impression and also on their previous experience with a Coast Guard boarding. As a boarding team member you must be able to recognize any increase in tension during a boarding and if possible, reduce the stress level to maintain control. Always use clear and authoritative directions.

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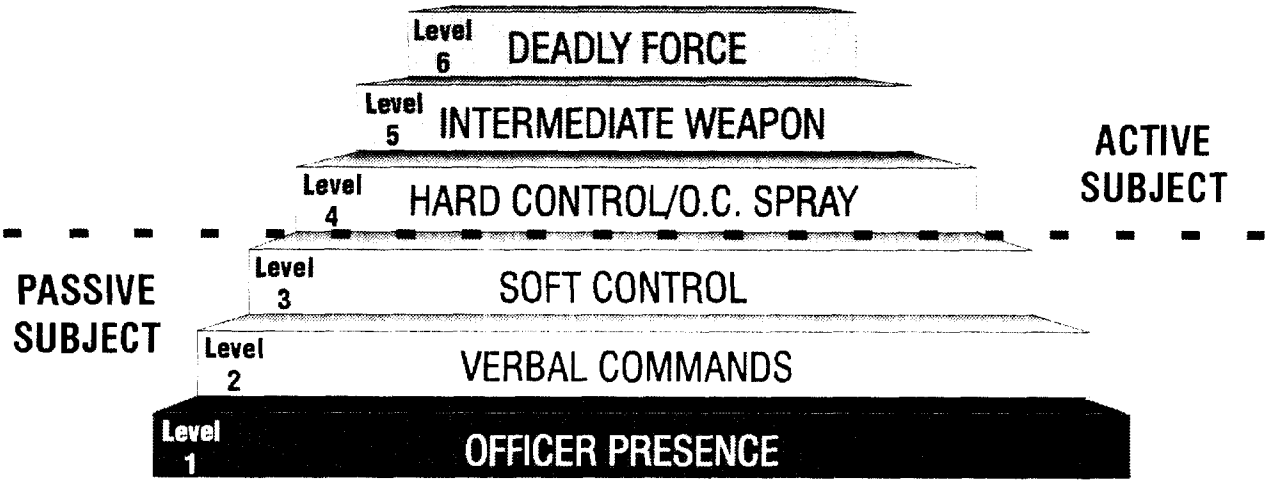
2. Explain the six levels of the use of force continuum, Continued



Examples

Examples of officer presence include: certain stances, pointing a weapon at someone, standing with a baton out, the officer's appearance, and basic communication skills.

- Most boardings exceed Level 1.

Level 2 (verbal commands)

Level 2 involves the use of specific task direction that is followed by consequences if necessary. Using verbal orders in a clear, authoritative voice may enable you to take control of the situation.

- Make sure verbal commands are truly needed for the safety or tactical effectiveness of the boarding.
- Do not give consequences you are not prepared to carry out.
- Be reasonable.

Level 3 (soft control techniques)

At this level you have determined that the situation requires you to force someone to comply with verbal commands (Level 2). The techniques authorized at this level are designed to bring a subject under control with a low probability of causing connective tissue damage, lacerations of the skin, or bone fractures.

Continued on next page

2. Explain the six levels of the use of force continuum, Continued

Techniques

The techniques available at Level 3 are:

- Pain compliance techniques
  - * pressure points
  - * joint manipulation
- Strength techniques
- Normal application of handcuffs
- Distracters

Give verbal commands before and during the application of Level 3 techniques.

Level 4 (hard control techniques / O.C. Spray)

These are techniques designed to bring a subject under control. The techniques have an increased probability of causing connective tissue damage, lacerations of the skin, or bone fractures.

Techniques

These techniques include:

- Active countermeasures:
  - * Strikes
  - * Stuns
  - * Takedowns
  - * O.C. Spray

Give verbal commands before and during the application of Level 4 techniques.

Continued on next page

2. Explain the six levels of the use of force continuum, Continued

Level 5 (intermediary weapons control)	The use of an intermediary weapon has a high probability of causing connective tissue damage, lacerations of the skin, and/or bone fractures. Level 5 should only be used when: • Level 4 is not working. • You don't believe Level 4 will work. • It isn't safe for you to employ Level 4 techniques. Give verbal commands before and during the application of Level 5 techniques.
Authorized intermediate weapon	The expandable baton is the designated intermediate weapon.
Level 6 (deadly force)	Deadly force is any force intended to cause, or has a high probability of causing death or serious bodily injury. Serious bodily injury means actual physical injury to the body that results in: (a) unconsciousness; (b) protracted and obvious disfigurement; or (c) protracted loss or impairment of the function of a bodily member, organ, or mental faculty. Methods of applying deadly force include, but are not limited to: • Firearms • Other potentially lethal weapons
When to use	You may use deadly force only if there is an imminent threat of death or serious bodily injury or, judging by a subject's actions, a reasonable person would believe that death or serious bodily injury is forthcoming. Normally, deadly force is only appropriate in meeting deadly force or dealing with a crime involving the use of, or threatened use of, deadly force.
Weapon of opportunity	For a situation in which you are deprived of the use of your law enforcement equipment (i.e., side arm, baton, O.C. spray) and it is necessary to protect yourself or others, appropriate weapons of opportunity may be used.

3. Explain when it is appropriate to draw a weapon.

When to draw a side arm	A side arm may be drawn from its holster, or a long gun shouldered, for firing (or in preparation for firing) only if deadly force is warranted, or if there is a reasonable possibility that its use will be necessary to protect life or safeguard property designated by Commandant as vital to the national security or is inherently dangerous. Simply drawing a weapon does not alone constitute a use of force, but is considered officer presence.
Situations	There are several situations in which drawing your weapon is recommended: • During an extended initial safety inspection when weapons or suspects are not accounted for. • When an aggressive subject has a visible weapon. • Whenever you feel threatened with deadly force. • When the potential for a deadly force situation arises.
Report required if a side arm is drawn	If you draw your weapon, at any time during MLE operations, you should report it to the CO/OIC. A letter report is required whenever a firearm is drawn; to be submitted within 30 days, via the chain of command, to COMDT (G-OPL) with a copy to MLE School, Yorktown, VA.

4. Explain and define the elements which must exist prior to the use of deadly force.

Deadly force policy

You may use deadly force only if:

For the following situation:[1]	Deadly force may be used if:
Self-Defense/Defense of Others	There is a reasonable belief of an imminent threat of death or serious physical injury.
Prevention of a Crime	The felony, if not prevented, would pose an imminent threat of death or serious physical injury.
Effecting an Arrest or Preventing an Escape[2]	There is probable cause that the suspect has committed a felony[3] involving the use of or threatened use of deadly force; and the suspect is armed or otherwise poses an imminent threat of death or serious physical injury; and the suspect has failed to obey an order to halt; and the use of deadly force does not create an undue risk to any persons, other than the suspect.
Protection of Property	Normally never.[4]

Notes:

[1] In any case, deadly force may only be used after USCG personnel:

(a) identify themselves as law enforcement officers (if feasible);

(b) issue an order to cease the dangerous activity (if feasible); and

(c) determine that, in view of the threat, the use of deadly force does not create an undue risk to others.

[2] Disabling fire is a special method of preventing an escape of a vessel. It is not intended to be used as deadly force.

[3] USCG commissioned, warrant, and petty officers normally have arrest authority only for federal crimes. The limitation to federal crimes does not apply if the USCG member has additional authority to arrest for the particular crime, such as by authorization of a flag state.

[4] Deadly force may be used only when the specific property (including information) has been designated by COMDT as either (a) vital to the national security or (b) inherently dangerous to others.

Continued on next page

4. Explain and define the elements which must exist prior to the use of deadly force, Continued

Deadly force triangle

The deadly force triangle is used to assist you in determining whether or not to use deadly force. When all three sides of the triangle are present, deadly force is authorized but should be used **only as a last resort**.

The three elements that must exist for the use of deadly force to be authorized are:

- Weapons
- Opportunity
- Actions

Weapon defined

Weapon is the *physical means* to cause death or *serious bodily injury* to yourself or others.

Physical means

Some examples of *physical means* include: gun, club, knife, chain, tool, physical size, hands, feet, etc.

Opportunity defined

Opportunity exists when the subject has unrestricted access to the weapon AND/OR you or others are within the maximum effective range of the weapon. For example: gun tucked in waistband, club in hand and you are in range.

Unrestricted access defined

Unrestricted access exists when there is nothing to stop the subject from getting to the weapon; or, if the weapon is in the subject's hand, there is nothing between the subject and the intended target.

Maximum effective range defined

Maximum effective range - the subject is close enough to you or others that the ability poses an immediate threat.

Actions defined

Due to a subject's actions, a reasonable person would believe that death or serious bodily injury is imminent. For example: If someone is pointing a gun at you, or if someone is charging at you with a knife while holding it in a threatening manner, or if a subject reaches for gun in

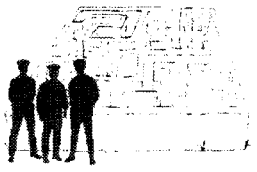
Continued on next page

4. Explain and define the elements which must exist prior to the use of deadly force, Continued

Actions defined (continued)	waistband after being instructed not to, there is an imminent threat of death or serious bodily injury. Due to these actions, a reasonable person would believe that death or serious bodily injury is imminent. Normally, deadly force is only appropriate in meeting deadly force or dealing with a crime involving the use of, or threatened use of, deadly force.

5. Explain the Coast Guard's policy concerning the use of warning shots by a member of a boarding party.

Warning shots defined	A warning shot is a signal, not a use of force, usually: (1) for a vessel or aircraft to stop or maneuver in a particular manner or disabling fire will be forthcoming; or (2) for a vessel or aircraft to stop a particular activity or deadly force is forthcoming.
Warning shot policy	**Warning shots by boarding team are prohibited.** Warning shots by boarding team members using personal defense weapons are prohibited. Warning shots for crowd control are not authorized. Warning shots will not normally be authorized unless it is expected that disabling fire will follow if necessary.
Warning shots by boarding team	Warning shots by boarding team members using personal defense weapons are prohibited.
Fishing vessels	Warning shots are generally not appropriate in purely fisheries cases because disabling fire will not normally be used.
Warning shots from cutters and boats	Warning shots from cutters and boats are permitted only if there is no significant possibility that they will cause injury to persons or property (including persons aboard the suspect vessel or aircraft).
Restrictions over land	In view of the higher risk of hitting unintended targets, the firing of warning shots is generally prohibited over land.
Chambering rounds in the riot shotgun	The chambering (racking) of a round in a riot shotgun is a method used to communicate (both visually and aurally) USCG preparedness to use deadly force. This action is a signal and does not itself constitute a use of force.
Approval required	The level of approval required for the use of warning shots depends upon the nationality of the vessel and the location of the activity. The Coast Guard flag officer in tactical control may authorize the employment of warning shots against U.S. vessels in the U.S. territorial sea and on the high seas and against certain foreign-flagged vessels in the U.S. territorial sea. Commandant (G-O) approval is required for the use of warning shots against U.S. vessels in foreign territorial seas and against foreign-flagged vessels anywhere outside the U.S. territorial sea.



Chapter 5
Explain Tactical Concepts

Overview

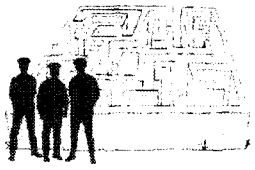
Introduction

This task explains the tactical concepts that should be used to protect the boarding team members while entering unfamiliar compartments during the course of a boarding.

In this chapter

This chapter contains this information:

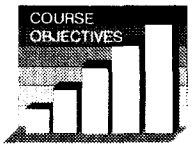
PQS Items	See Page
1. Explain tactical concepts:	5-B-1
(a) Reactionary gap	5-B-1
(b) Line of fire	5-B-1
(c) Triangulation	5-B-1
(d) Observation	5-B-2
(e) Cover and concealment	5-B-2
(f) Fatal funnel	5-B-2
(g) Weapons awareness	5-B-2
(h) Personal contact and cover	5-B-2
(i) Survival contingency plan	5-B-3



Section A. Task Outline

Overview

Objective



The objective of this task is to explain the tactical concepts which may be used during high risk situations such as an extended Initial Safety Inspection (ISI) for unaccounted-for persons, deadly force situations, or directing subjects out of a compartment.

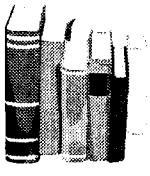
Policy

If unaccounted-for persons are encountered do not enter the compartment; take cover, identify yourself, demand to see their hands, ask what the problem is and direct them to come to you.

Any entry technique is much better than no plan at all; never "rush" into a compartment. All entry techniques require practice to allow for smooth and confident execution; entry tactics should be "second nature" to insure success and survival.

All boarding team members are required to complete Task 1-05 of the Boarding Officer/Boarding Team Member PQS for initial certification and annually thereafter.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)
3. Street Survival Seminar, Calibre Press, 1991
4. ALDIST 329/92
5. Charles Remsberg, "The Tactical Edge," Northbrook, Illinois: Calibre Press, 1990

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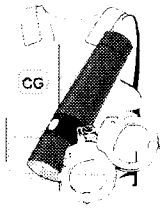
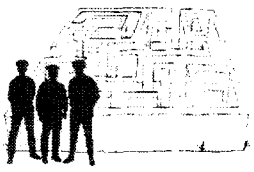
Overview, Continued

Equipment aids N/A





Section B. PQS Task 1-05 Explain Tactical Concepts

1. Explain tactical concepts:

(a) Reactionary gap

(b) Line of fire

(c) Triangulation

Reactionary gap	The reactionary gap is the distance between the officer and a subject. The gap should be from four to six feet as a minimum to give the officer time to react to any aggressive action by the subject.
Line of fire	The line of fire is the path between a member of the boarding team and a subject. A boarding team member is in the "line of fire" any time he or she is between another member of the boarding team and any member of the boarded vessel crew.
Triangulation	Triangulation minimizes cross-fire and bunching, and maximizes the impact of your defensive fire by directing it to a single point. Triangulation is the tactical separation of boarding team members to ensure they: • Stay out of line of fire with all other members of the boarding team. • Maintain a clear line of fire on a member (or members) of the crew. • Have sufficient separation so that no member of the crew can "target" more than one member at a time.

1. Explain tactical concepts:

(d) Observation

(e) Cover and concealment

(f) Fatal funnel

(g) Weapons awareness

(h) Personnel contact and cover

Observation	Maintaining a clear, "big picture" view of an area so as to avoid tunnel vision. Have the ability to notice and report anything unusual in the space, and direct the boarding team's attention to any movement which could threaten any member of the boarding team.
Cover and concealment	Cover: Any article that will protect you by stopping a bullet. Cover is probably the most important single tactic for surviving a dangerous situation. Concealment: Any article that will protect you by hiding you. Concealment pertains to protection from being seen by a suspect. It is anything that will hide your presence or movements from your adversary. Concealment may keep you from getting shot even if the suspect does detect your presence. However, concealment alone will not stop bullets.
Fatal funnel	The area of a doorway that poses the greatest threat during entry.
Weapons awareness	Knowing where your weapon is, at all times, in relation to others on the vessel you are boarding, and keeping it in a position that limits another's access to your weapon (i.e., blading your weapon).
Contact and cover	A technique that divides responsibilities for the members of a boarding team between conducting business with the subject (contact) and defensive awareness (cover). • Avoid being separated from your partner.

1. Explain tactical concepts:
(i) Survival contingency plan

Contact officer

The **contact** officer is the primary communicator with the subject.

- Records information (i.e., master/operator, crew, vessel identification information)
- Performs searches (of persons or spaces; actual search actions)
- Issues all boarding forms
- Handcuffs subjects

Cover officer

The **cover** officer devotes full attention to the subject(s) and other potential threats from a position of surveillance and control. The cover position:

- Maintains surveillance of potential threat areas
- Informs other boarding team members of threats
- Intervenes with force if necessary
- Discourages hostile acts or escape attempts
- Prevents destruction of evidence by suspects
- Handles routine radio communications

Escape plan

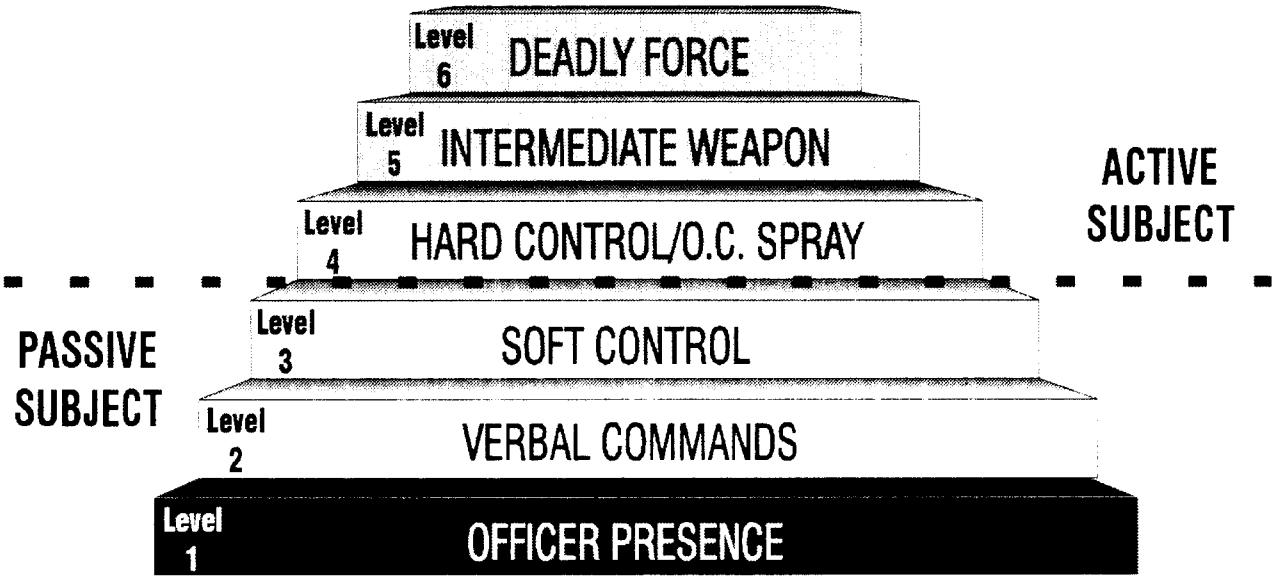
A way out; a place to go if the situation deteriorates. Every member of the boarding team should know where he/she can go at any time during a boarding to escape from a high threat confrontation, and a way of getting there.

Chapter 6
Demonstrate Officer Presence (Level 1)

Overview

Introduction

This task describes the Commandant's policy regarding the first level in the Use of Force Continuum: Officer Presence. This chapter describes the uniform and safety equipment requirements for boarding team members; various stances and relative positions to communicate authority and respond to threats; the effect of the boarding team member's appearance, bearing and attitude when dealing with the public; and the Coast Guard's policy on gratuities.



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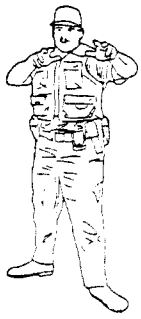
Overview, Continued

In this chapter

This chapter contains this information:

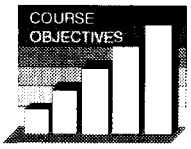
PQS Items	See Page
1. Demonstrate the wearing of the proper uniform and required law enforcement and safety equipment when acting as a boarding team member.	6-B-1
2. Demonstrate the Interview Stance.	6-B-7
3. Explain the positive and negative effects your appearance, bearing and attitude can have when dealing with the public.	6-B-9
4. Explain how the appropriate use of verbal commands and good communications skills can affect public relations.	6-B-12
5. Explain the Coast Guard's policy on accepting gratuities and how it affects command presence.	6-B-13



Section A. Task Outline

Overview

Objective



The objective of this task is to inform boarding team members of how their initial impression, behavior, and attitude affect the boarding process and how these characteristics reflect on the Coast Guard. Knowing these factors, the effective display of officer presence, in most cases, eliminates the need for an increase in the use of force during a boarding and leaves the public with a more positive impression of the Coast Guard.

Policy

All boardings should be performed in a polite, courteous, and professional manner, even in the face of open resentment or non-cooperation. Boarding personnel should reflect positively on the service by their friendly dignity, outstanding appearance, professional conduct, and competence. Boarding personnel should never be argumentative, overbearing, or oppressive. All offers of sociability, other than cordial conversation should be graciously declined.

All boarding officers and boarding team members shall wear the same uniform. The USCG Working Blue uniform is the authorized uniform, although a tropical uniform, coveralls or undress uniforms may be authorized for special circumstances per Enclosure 6 to the MLEM.

All boarding officers and boarding team members shall be armed, except for certain instances described on page Enclosure 6-6 in the MLEM. Equipment requirements include holster, service weapon, handcuffs with key, and flashlight. Optional equipment includes folding knife, chemical spray (when member is trained for its use) or other gear approved by the unit CO/OIC.

Coast Guard personnel shall not solicit, or accept, directly or indirectly, any gift, gratuity, favor, entertainment, food, lodging, loan, or other thing of monetary value, from a person or employer of a person who is involved in boating activity.

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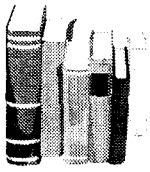
Overview, Continued

Policy (continued)

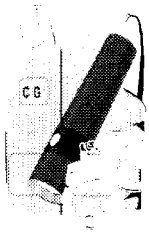
All boarding team members are required to complete Task 1-06 of the Boarding Officer/Boarding Team Member PQS for initial certification.

References

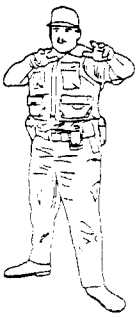


1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. USCG Rescue and Survival System Manual, COMDTINST M10470.10 (series)
3. Uniform Regulations, COMDTINST M1020.6 (series)
4. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids



- Complete weapons belt, with holster, mag pouch, flashlight, cuffs, key, etc.
- Body armor
- Appropriate PFD (Type III, exposure suit, etc.)



Section B. PQS Task 1-06 Demonstrate Officer Presence (Level 1)

1. Demonstrate the wearing of the proper uniform and required law enforcement and safety equipment when acting as a member of a boarding team.

Officer presence

The presence of a law enforcement officer often creates an atmosphere of compliance with laws and regulations. Officer presence begins before the start of the boarding process, when the subject first recognizes the Coast Guard cutter or boat. The public's impression, and reaction, to officer presence is very fluid. It can change, depending on the boarding team's actions and ability to respond to provocation during the boarding process.

Uniform requirements

All boarding team members must wear the same uniform.

Authorized	Optional	Prohibited
CG Working Blue	• Coveralls: When CO/OIC authorizes because conditions on the boarded vessel are likely to soil or damage uniforms • Tropical: Dark blue utility shorts, white crew socks, working blue or undress blue shirt, when CO/OIC authorizes	• Locally produced law enforcement insignia • T-shirts as outer garments

Continued on next page

1. Demonstrate the wearing of the proper uniform and required law enforcement and safety equipment when acting as a member of a boarding team, Continued.

Hats

All boarding team members should wear the same headgear.

- Dark blue baseball-style cap with adjusting tab
- "Coast Guard" embroidered in ¾" gold block letters or on a patch of the same material as the cap

Protective headgear

Protective headgear is required during boat launching and recovery operations. The safety helmets should be removed and replaced by the MLE ball cap prior to boarding.

Authorized	Optional	Prohibited
White plastic safety helmets with USCG emblem	• Cold weather operations: unit COs/OICs may authorize black knit watch caps to be worn either under the plastic safety helmet, or in place of the helmet	• Unit ball caps • Garrison or combination caps

Rank/rate insignia

The embroidered or metal rank or rate insignia shall be worn by all boarding personnel.

- Cap device for officers
- Collar device for enlisted

Continued on next page

1. Demonstrate the wearing of the proper uniform and required law enforcement and safety equipment when acting as a member of a boarding team, Continued.

Shoes

When boarding a vessel, workboots are required.

Required	Optional
Commercial/workboats/fishing boats	
Black steel-toed working boots	A more flexible safety shoe with: • Steel toes • Black canvas/leather uppers • Black non-marking/nonskid soles • No other color, striping, or product label may be visible Cold weather or heavy weather: • Rubber all-weather outer boots may be worn
Recreational Vessels	
Dark brown deck shoes with non-slip soles • Leather or simulated leather upper	• Black canvas/leather uppers • Black non-marking/nonskid soles • No other color, striping, or product label may be visible Cold weather or heavy weather: • Rubber, all-weather outer boots may be worn

Body armor

All armed members of MLE boarding teams and armed boatcrews shall wear body armor rated at least Level IIa by the National Institute of Justice (NIJ).

Continued on next page

1. Demonstrate the wearing of the proper uniform and required law enforcement and safety equipment when acting as a member of a boarding team, Continued.

Body armor (continued)

Body armor shall be worn at all times while:

- En route to or from and during boarding operations,
- Carrying a weapon in the performance of law enforcement and other security activities, and
- While transporting weapons.

The wearing of body armor by boat crews is not required during routine patrol operations; however, it must be available on board the vessel and donned prior to the initiation of any law enforcement activity.

Body armor may be worn either:

- Over the uniform shirt and under a PFD, when supplied with a dark blue cover; or
- If the member anticipates removing the PFD at any time during the boarding, the body armor shall be worn under the uniform shirt.

Deviations from these body armor requirements may be approved by the District/Area Commander.

At no time will body armor be worn over the shirt without a PFD.

Personal flotation device

Boarding team members shall wear USCG approved international orange PFDs or anti-exposure coveralls at all times:

- When embarking or disembarking boats,
- When being transported by boat from/to USCG vessels, or
- When on vessels being boarded.

Removing your PFD

The boarding officer may authorize personnel to remove their PFDs when necessary such as to go below decks or into a safe confined space during a boarding.

Continued on next page

1. Demonstrate the wearing of the proper uniform and required law enforcement and safety equipment when acting as a member of a boarding team, Continued.

PFD identification markings

PFDs and anti-exposure coveralls worn by boat crew and boarding team personnel during MLE operations shall have identification markings:

- Left breast. USCG emblem with a diameter of three inches.
- Right breast. USCG ensign 2½ inches in height and 3½ inches in width.
- Center of back. "U.S. Coast Guard" in white block letters 2½ inches.
- Manufacturer's emblems on the outside of PFDs shall be removed.

Belt equipment

CG boarding personnel shall wear this belt equipment:

- Black ballistic nylon or black leather weapons belt
- Pouches, and at least four keepers of the same material
- Standard service pistol with a fully loaded magazine
- Holster worn on the weapon side

Continued on next page

1. Demonstrate the wearing of the proper uniform and required law enforcement and safety equipment when acting as a member of a boarding team, Continued.

Authorized	Optional	Prohibited

• At least one additional fully loaded magazine (15 rounds)
• Standard handcuffs with chain link
• Handcuff key
• Similar handcuffs that use the same key
• 21-inch chrome expandable baton with foam handle
• Flashlight for use as an illumination source
  * Maximum size 3 "C" cell
  * 12,000 candlepower recommended
  * Spark protection for the boarding environment
  * Not intended for use as an impact weapon
• Radio
  * At least one member of the boarding team shall be able to communicate with the boarding platform (cutter or small boat).
	• O.C. pepper spray
	• Folding knife
	• Additional items of equipment on the law enforcement belt, such as key holders, etc., are authorized with command approval.
	
	NOTE To the extent possible, the color, finish, and material of such items should match that of the law enforcement belt.
		• Carrying a straight-bladed (non-folding) knife is specifically prohibited.
		• Hinged cuffs are prohibited

NOTE Personnel shall be free to arrange equipment in whatever order of placement they find appropriate and convenient.

2. Demonstrate the Interview Stance.

Definition

The interview stance is a non-aggressive, professional stance which:

- Incorporates the principles of balance
- Is a major part of our weapon retention system
- Allows for quicker access to weapons
- Reduces reaction time for blocking incoming strikes
- Is a safe position that allows quick reaction to unexpected confrontations

Criticalities

These "criticalities" should be used to evaluate the demonstration of the interview stance:

Steps	Actions
1	With the weapon leg, step out so feet are shoulder width apart.
2	With the weapon leg, take a half step straight back.
3	Maintain a wide, flexible base (not a T-bone).
4	Flex knees slightly, keeping back straight and head over both feet.
5	Bring hands to the center of body; do not lock fingers.
6	Position yourself in a safe relative position to the subject.

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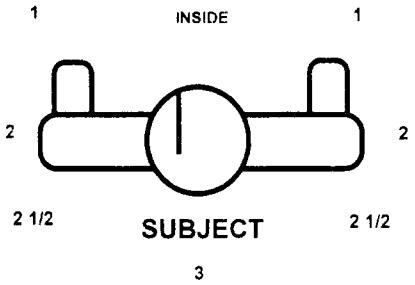
2. Demonstrate the Interview Stance, Continued.

Relative positioning You should position yourself in a safe relative position. If the tension level increases during the boarding, definitely move to the safest position possible.



Position	Advantages	Disadvantages
Inside	• Natural communication position for most people • Low stress for subject	• Weapon available to subject • Subject has four delivery systems • **Least desirable position**
1	• Easy to communicate • Weapon is bladed away • Low stress for subject	• Subject has two delivery systems
2	• Can communicate • Weapon is bladed away • Subject has one delivery system	• Subject will turn to face you • Can't see all delivery systems
2½	• Subject has one delivery system • Weapon is bladed away	• Subject will turn to face you • Medium stress for subject
3	• Weapon is safe • No delivery systems • All delivery systems visible	• High stress for subject • Subject will turn to face you

3. Explain the positive and negative effects your appearance, bearing and attitude can have when dealing with the public.

First impression

Officer presence begins prior to the start of the boarding. The people on the vessel you board will observe:

USCG vessel	• Maintained • Maneuvered • Actions of the crew
Communication of intent to board	• Professionalism on the radio
Boarding personnel appearance	• Uniform • Equipment
Vessel crew greeting	• Non-threatening attitude

These impressions, if negative, could affect the success of the boarding.

Physical presence

A boarding member's physical presence will often communicate a message that will foster compliance.

- A sharp uniform appearance communicates professionalism.
- Stance communicates readiness to respond to a situation.
- Attitude and tone relay courteous and helpful intentions.
- A calm, professional bearing reduces anxiety or tension during a boarding to maintain a safe condition.
- Negative effects from appearance, bearing and attitude will almost immediately result in an increase in the tension during the boarding.

Effective communication

Officer presence and verbal commands are the two levels of force most commonly used while conducting boardings. Knowing how to effectively communicate is directly related to both these levels of force. Communication can be verbal or non-verbal.

Continued on next page

3. Explain the positive and negative effects your appearance, bearing and attitude can have when dealing with the public, Continued.

Effective communication (continued)

Statistics have shown that the majority of assaults on law enforcement officers could have been prevented if the officers on scene had communicated effectively.

Most people we come in contact with are cooperative and offer no resistance to our requests. In some situations we may encounter people who are reluctant, for whatever reason, to cooperate. These reasons may be due to stress brought on by previous negative experiences with the Coast Guard or law enforcement authority, personal problems, etc. A simple guide to remember when dealing with the public is the acronym LEAPS:

Listen	Actively listen to the subject to determine what the problem is.
Empathize	Understand the other person's feelings, situation, or motives.
Ask Questions	Clarify the problem.
Paraphrase	Restate to the subject your understanding of the situation.
Summarize	State your position, what you expect or what you are willing to concede.

Verbal communication

- Speak clearly and authoritatively.
- Be courteous, take time to explain the boarding process, explain safety regulations, and distribute boating safety pamphlets and informational brochures as appropriate at the conclusion of the boarding.

Non-verbal communication

Non-verbal communication is the most important factor in communication. The majority of messages are transmitted by body language.

- Facial expressions may communicate a message of disapproval or disgust and could increase tension during a boarding.

Continued on next page

3. Explain the positive and negative effects your appearance, bearing and attitude can have when dealing with the public, Continued.

Non-verbal communication (continued)	• Stance may communicate an aggressive attitude, or conversely, could be too relaxed. • Hands placed on a holstered weapon may communicate a willingness to use it. This is an effective signal to use when needed.
Impact on program effectiveness	Boarding officers must possess and demonstrate numerous skills, both professional and interpersonal, for USCG boardings to be fully successful. The continued effectiveness of the ELT Program depends upon public support of the laws enforced and the methods employed by our boarding personnel. Public recognition of the professional manner in which we discharge our enforcement responsibilities helps to develop compliance. Consistent with the need to take safety precautions, USCG boarding teams should make every effort to accommodate reasonable requests from the mariner. This may include a comfortable heading into the seas, passing through a drawbridge prior to boarding, etc. If no significant likelihood exists that the mariners are engaged in criminal conduct, initial precautions taken should be modified to allow the mariners to refresh themselves, take shelter from the elements, and otherwise see to their personal comfort.

4. Explain how the appropriate use of verbal commands and good communications skills can affect public relations.

Impact on Coast Guard	The USCG conducts more than 40,000 boardings annually. In many cases, a boarding team is the only contact some persons will ever have with the USCG. The boarding experience may leave these individuals with a positive impression of the service, or with a very negative one, which may undermine public support and cooperation. Boarding team members should engage in polite and cordial conversation, and should otherwise be of assistance in any reasonable manner requested. Whenever any boarding team member oversteps the bounds of courtesy and professional conduct, the esteem with which the USCG has always been regarded is diminished.
Boating safety	The majority of laws the USCG enforces deals with safety concerns. Contact with the boating public offers an opportunity to educate the boating public. Take every opportunity to explain the Coast Guard's missions, safety matters, and the purpose of the boarding.
Navigational information	Boarding personnel should offer mariners weather and navigational information. Do not give courses to steer. Limit navigational advice to current location in terms of available charts.
Safety violations	Describe the process for your district or area of operations. Generally, the owner/operator will receive a letter from a hearing officer describing any violations and the possible penalties. Inform mariners that they may submit invoices or receipts showing equipment purchases or repairs that may be considered by the hearing officer prior to assessing a penalty. Continue to stress the Coast Guard's safety enforcement mission.
Vessel damage	If any damage to the vessel occurred as a result of the boarding, provide the master a copy of form SF-95 and explain the procedure for making a claim against the USCG. (See Enclosure 14 of the MLEM.)

5. Explain the Coast Guard's policy on accepting gratuities and how it affect's command presence.

Definition

Gratuity is something given in return for a favor or a service.

For example, the dinner and the basket of shellfish in the following examples are gratuities. (1) The owner of the local marine hardware store gives you a coupon good for dinner for two at the local seafood restaurant. He tells you it is his way of saying thank you for the Coast Guard business he has received during the past year. (2) The operator of a fishing boat insists you take a basket of shellfish back to the cutter after completing the boarding of her vessel.

Policy

Coast Guard personnel shall not solicit, or accept, directly or indirectly, any gift, gratuity, favor, entertainment, food, lodging, loan, or other thing of monetary value, from a person or employer of a person who is a "prohibited source." (COMDTINST M5370.8A, 5 CFR 2635.202(a)) (The term "prohibited source" means any person who is seeking official action by the Coast Guard (e.g., a person applying for a Coast Guard-issued license), any person who conducts activities regulated by the Coast Guard (e.g., a tug company), or any person that has interests that may be substantially affected by the performance or nonperformance of the employee's official duties (e.g., the operator of a vessel being boarded and inspected).

Even if there is no preferential treatment given to the person providing the gratuity, Coast Guard personnel are not allowed to accept gratuities because:

- There is the appearance of impropriety it conveys to the public and other law enforcement agencies.
- It may be against the law (i.e., a bribe).

Continued on next page

5. Explain the Coast Guard's policy on accepting gratuities and how it affect's command presence, Continued.

Bribery of public official

Suspects encountered during the course of vessel boardings have tried to bribe USCG law enforcement personnel to "look the other way" or take some action that would be beneficial to the suspect. Such attempted bribery is grounds for felony arrest.

- 18 U.S.C. 201. It is a felony for public officials to accept bribes or for anyone to offer anything of value to public officials, either directly or indirectly, to influence them in the performance of their official duties.
- USCG personnel accepting a bribe are also subject to punishment under the Uniform Code of Military Justice (UCMJ).

Chapter 7
Give a Verbal Command

Overview

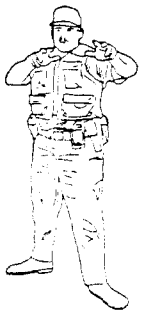
Introduction

Verbalization is the second level in the use of force continuum and is an integral part of every use of force technique. The boarding team member must give appropriate verbal commands continually to ensure that the subject understands what you expect for compliance and that you use the minimum force necessary.

In this chapter

This chapter contains this information:

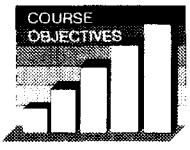
PQS Items	See Page
1. Give a verbal command using a clear, firm, authoritative voice.	7-B-1
2. Give a verbal command indicating the consequences of non-compliance.	7-B-2
3. Explain how verbal commands can escalate or de-escalate a situation.	7-B-4



Section A. Task Outline

Overview

Objective



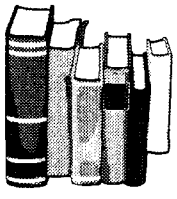
The objective of this task is to demonstrate effective use of verbal commands. Knowing these factors, effectively displaying officer presence and using verbal commands in most cases will eliminate the need to increase force during a boarding and will leave the public with a positive impression of the Coast Guard.

Policy

As set forth in the Use of Force Policy, a boarding team member may use the minimum non-deadly force reasonably necessary to compel compliance with a lawful order. Absent a circumstance requiring immediate compliance, tell the individual the consequences of failure to comply and give a reasonable time for compliance.

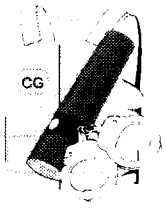
All boarding team members are required to complete Task 1-07 of the Boarding Officer/Boarding Team Member PQS for initial qualification.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids



N/A

Section B. PQS Task 1-07 Give a Verbal Command

1. Give a verbal command using a clear, firm, authoritative voice.

Criticalities for verbal commands

Use these "criticalities" to evaluate the demonstration of this technique:

- Clear, authoritative voice
- Of sufficient volume
- Specific task direction
- Enough task direction so the person receiving the command can comply without question
- Proper position and stance from Level 1 technique

2. Give a verbal command indicating the consequences of noncompliance.

When giving consequences

- Consequences should not provoke or antagonize.
- Communicate consequences with actions the subject can take to prevent the consequences.
- Whenever possible, use information or knowledge appropriate to the subject's level of understanding.
- Keep your orders and consequences simple.

Low-risk consequences

Low-risk consequences allow the subjects to consider the impact of their actions on others. For example:

If you don't move, I won't be able to complete the boarding and you won't be able to continue your voyage.

If you don't move I won't be able to let your friends continue fishing.

Communicating a variety or combinations of low-level consequence usually is preferable to threatening a more severe consequence. If, however, time or safety is a critical factor, you may need higher-risk consequences immediately.

- Make sure your verbal commands are truly needed for the safety or tactical effectiveness of your boarding.
- If you threaten an imposed consequence, be sure you have the authority to follow through (e.g., do not threaten to arrest if you are not authorized to arrest).
- Be reasonable.

High-risk consequences

High-risk consequences may force a decision or elicit an undesirable response from the subject. Imposed sanctions communicate the probable actions you will take if the subject does not comply with your directions.

If you don't move, you could be subject to arrest and we will have to move you.

Continued on next page

2. Give a verbal command indicating the consequences of noncompliance, Continued.

Criticalities for verbal commands with consequences

Use these "criticalities" to evaluate the demonstration of this technique:

- Clear, authoritative voice
- Of sufficient volume
- Specific task direction
- Enough task direction so the person receiving the command can comply without question
- Legal, effective consequences for non-compliance
- Proper position and stance from Level 1 technique

3. Explain how verbal commands can escalate or de-escalate a situation.

Verbal commands used properly

- A confident (not arrogant) speaking manner inspires confidence, trust, and respect from the public.
- Used properly, verbal commands can resolve fears, frustration, or anger directed towards the boarding team.
- Use verbal commands continually to ensure that the subject understands what to do to comply.
- People fear the unknown; a little information can solve a lot of problems. Remember the LEAPS acronym (Listen, Empathize, Ask Questions, Paraphrase, Summarize).
- Your calm and reasonable demands will often help to calm even an arrogant or argumentative subject. In these cases the repetition of your reasonable commands, even in a low tone, forces the individual to quiet down in order to hear you.
- You can also increase the level of consequences to influence the individual to comply.

Verbal commands used improperly

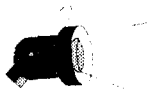
Using verbal commands inappropriately to communicate threats or challenge someone can result in subjects' taking physical actions against members of the boarding team. Your consequences may be taken as a challenge, resulting in a quick deterioration of the situation.

Statistics have shown the majority of assaults on law enforcement officers could have been prevented if the officers on scene had communicated effectively.

Chapter 8
Demonstrate Level 3 Tactics

Overview

Introduction



This task describes the Commandant's policy regarding the third level in the Use of Force Continuum: Soft control techniques. This section describes when to use these techniques, and provides the information needed to properly demonstrate the soft control techniques and the transport wristlock.

Continued on next page

Overview, Continued

In this chapter

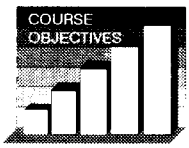
This chapter contains this information:

PQS Items	See Page
1. Explain when the use of soft control techniques is appropriate.	8-B-1
2. Demonstrate the escort position.	8-B-2
3. Demonstrate three of the five pressure point control techniques: • Infra-orbital nerve • Hypoglossal nerve • Mandibular nerve • C-clamp • Jugular notch	8-B-5 8-B-8 8-B-10 8-B-12 8-B-14 8-B-15
4. Demonstrate the transport wristlock.	8-B-17

Section A. Task Outline

Overview

Objective



Boarding members shall be able to explain in their own words different situations in which soft control techniques would be necessary; demonstrate at least three soft control techniques; and demonstrate the transport wristlock.

Unit training programs should encourage members to review these skills not less than monthly. Such reviews should be structured to detect and rectify weaknesses in Level 3 skills and prepare members to meet their annual defensive tactics qualification requirements.

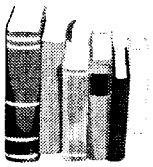
Policy

Level 3 techniques are designed to bring a subject under control with a low probability of connective tissue damage, lacerations of the skin, or bone fractures.

Level 3 techniques will always be preceded by verbal commands. Verbal commands should always be given during the application of these techniques.

All boarding team members are required to complete Task 1-08 of the Boarding Officer/Boarding Team Member PQS for initial certification and annually thereafter. Qualified unit PQS instructors are required to approve the completion of this task.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

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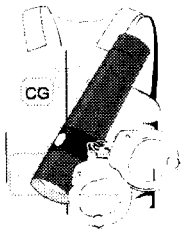
Overview, Continued

Equipment aids



- Weapon belt (complete)
- Body armor (optional)
- PFD (optional)

Section B. PQS Task 1-08 Demonstrate Level 3 Tactics

1. Explain when the use of soft control techniques is appropriate.

Soft control technique defined	Soft control technique is defined as any physical or mechanical technique which brings the subject under control with a low probability of causing any soft connective tissue damage, laceration of the skin, or bone fractures. Appropriate techniques include: • Pressure points • Joint manipulations • Strength techniques
Appropriate use	Soft control techniques should be used only when the person from whom compliance must be gained has failed to comply with verbal commands (Level 1 and Level 2).
Basic techniques	• Advise individual of consequences of non-compliance prior to the introduction of soft control techniques (Level 2). • Give loud repetitive task direction and consequences when applying a pain technique. • Stop applying pressure when subject complies with task direction, but do not release subject completely.
Passive resistor defined	A passive resistor is an individual who does not offer any physical resistance. This includes verbal or non-verbal indication of non-compliance with orders, or actual resistance without physical threat to the boarding team member.

2. Demonstrate the Escort position.

Purpose

The escort position controls the subject's arm during non-threatening escort situations. This technique is used to move a passive resistor without causing pain and to minimize the stress level of the boarding. The position is non-threatening but still reinforces the authority of the law enforcement officer.

Interview stance to escort position

When using the escort position during an actual boarding, keep in mind these critical items:

- Proper relative positioning upon approach.
- Protect your weapon.
- Give specific task direction throughout technique.
- Check for possible aggressive resistance.
- Smooth, non-aggressive approach.

Steps	Action
1	From the interview stance, approach the subject from your weapon side. Whenever possible, approach from relative position 3.

Continued on next page

2. Demonstrate the Escort position, Continued.

Interview stance to escort position (continued)

2	When you are within an arm's length, bring your hands up to the ready position.

3	Shuffle step in close and reach out with both hands and blanket the subject's elbow. • Do not lock or interlace fingers.

Continued on next page

2. Demonstrate the Escort position, Continued.

Interview stance to escort position (continued)

4	Pivot on your reaction foot until you are behind the subject, looking over the subject's shoulder.
5	Slide your reaction hand down the subject's arm to the wrist, keeping a firm grasp on the subject's elbow with your weapon hand.

6	With your reaction hand, turn the subject's hand back so the palm is facing you. • Ensure your elbows stay close to your sides, maintaining positive control of the subject's arm and wrist.
7	Give verbal commands. • Tell the subject to walk or stop with you.
8	To release the subject, let go of the arm and resume the interview stance.

3. Demonstrate three of the five Pressure Point Control techniques.

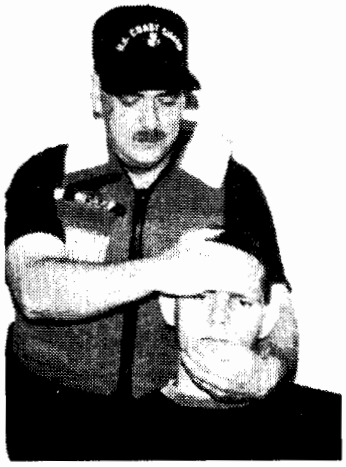
Use of pressure points	Pressure points are a method of controlling a passive resistor. The use of pressure points often de-escalates confrontations by giving the officer control that does not require a great deal of strength or skill. The use of pressure points primarily involves applying pressure to establish compliance. The different techniques for applying pressure are: • Infra-orbital nerve • Hypoglossal nerve • Mandibular nerve • C-clamp • Jugular notch
Verbal commands	Use verbal commands with all Level 3 techniques. Give task direction and consequences. • "Sir, if you do not move, I will move you."
Counter pressure	Pressure point techniques use counter pressure to stabilize the subject. If counter pressure is not applied, the subject can simply move away. A simple and effective way to apply most pressure points is to secure the head. Counter pressure can be accomplished by wrapping the reaction hand around the head using your weapons hand on side of subject's face to guide the head in against the officer's body.
Securing a subject's head	This technique will be used to secure the head of a subject. This technique is used at the beginning of the infra orbital nerve, hypoglossal nerve, mandibular nerve, and C-clamp techniques.

Continued on next page

3. Demonstrate three Pressure Point Control techniques, Continued.

Securing a subject's head (continued)

Steps	Action
1	Approach the subject from the 2½ or 3 position.
2	Reach around and grab the subject's chin with your reaction hand. • Do not choke or place hand where the subject could bite you.



3	Place your weapon hand on the subject's forehead and pull back with both hands.
4	Tuck the subject's head tightly between your side and the crook of your elbow.
5	Maintain control of the subject's head with your reaction hand.

Continued on next page

3. Demonstrate three of the five Pressure Point Control techniques, Continued.

Application of pressure	Pressure is achieved by touch pressure through a finger or knuckle at 100% power until verbal commands are obeyed. Pressure should be released immediately when the subject complies. (Release pressure, not the subject.)

3. Demonstrate three of the five Pressure Point Control techniques:

- **Infra-orbital nerve**

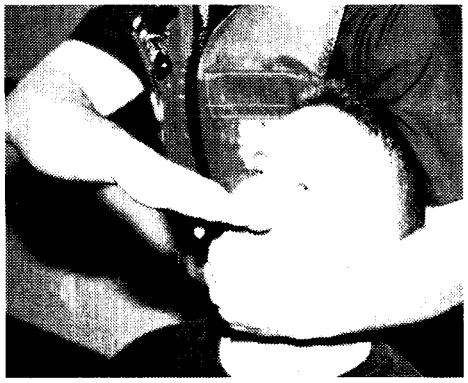
Location

The infra-orbital nerve is located at the base of the nose.

Technique

Pressure should be applied with the middle joint of the index finger, keeping the hand away from the mouth. Pressure will be applied towards the back of the head and then up. Maintain counter pressure, and verbal commands.

Steps	Action
1	Secure the subject's head with your reaction hand.
2	Make an "L" with your weapon hand.



3	Place the edge of your index or middle finger under the subject's nose. Keep all fingers together and perpendicular to the face.

Continued on next page

3. Demonstrate three of the five Pressure Point Control techniques:

- **Infra-orbital nerve,** Continued

Technique
(continued)

4	Apply pressure toward the top and center of the head in a scooping motion. • Do not press on the nose, press on the area where the septum meets the upper lip.
5	Release pressure when the subject complies, but do not release the technique.

3. Demonstrate three of the five Pressure Point Control techniques:

• Hypoglossal nerve

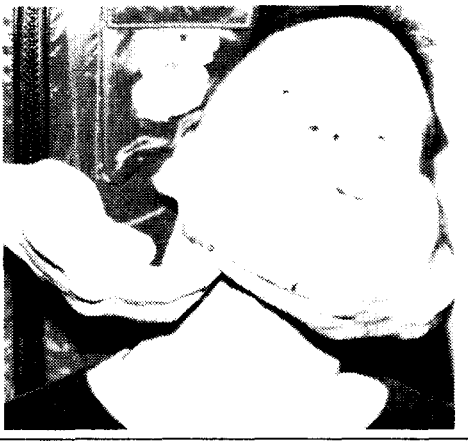
Location

The most sensitive part of the hypoglossal nerve is located behind the chin approximately one inch forward of the rear of the mandible (jawbone) and one inch under the jaw.

Technique

Pressure should be applied with fingers of the weapon hand to the nerve point. Pressure is applied by driving fingers up and clamping the fingers to the jaw bone. Maintain counter pressure, and verbal commands.

Steps	Action
1	Secure the subject's head.



2	Turn the head slightly toward the reaction side (to facilitate access).

Continued on next page

3. Demonstrate three of the five Pressure Point Control techniques:

- **Hypoglossal nerve,** Continued

Technique
(continued)

3	Keeping all your fingers tightly together, drive them up under the subject's chin (wiggle your fingers to access the nerve). • You may need to partially release the grip of the reaction hand (last two fingers only) to access the target area. • You may also access the nerve using the tip of your thumb.

4	Pressure is applied by driving fingers up and clamping the fingers to the jaw bone.
5	Maintain counter pressure.
6	Release pressure when the subject complies, but do not release the technique.

3. Demonstrate three of the five Pressure Point Control techniques:

- **Mandibular nerve**

Location

The mandibular nerve is located just below the ear, and behind the jaw bone.

Technique

Pressure should be applied with thumb of the weapon hand to the nerve point. Pressure is applied by driving the thumb inward, then forward toward the eyes. Maintain counter pressure, and verbal commands.

Steps	Action
1	Secure the subject's head.

2	Turn the head slightly toward the reaction side (to facilitate access).

3	To apply pressure with the weapon hand, support the thumb with the fist.

Continued on next page

3. Demonstrate three of the five Pressure Point Control techniques:

- **Mandibular nerve,** Continued

Technique
(continued)

4	Pressure is applied with the tip of the thumb inward, then forward toward the nose.
5	Release pressure when the subject complies, but do not release the technique.

3. Demonstrate three of the five Pressure Point Control techniques:

- **C-clamp**

Location

The c-clamp pressure point technique is applied to the infra-orbital nerve which is located at the base of the nose and the mandibular nerve, which is located just below the ear, and behind the jaw bone.

Technique

The c-clamp combines the infra-orbital and mandibular nerve pressure points. Pressure is applied at each nerve point by squeezing the index finger and thumb together.

Steps	Action
1	Secure the subject's head.
2	Turn the head slightly toward the reaction side (to facilitate access).
3	With your weapon hand make an "L".

4	Place the tip of your thumb (weapon hand) at the mandibular nerve.
5	Place the second knuckle of the index finger at the base of the subject's nose.
6	To apply pressure, squeeze your thumb and index finger only.
7	Release pressure when the subject complies, but do not release the technique.

3. Demonstrate three of the five Pressure Point Control techniques:

- **Jugular notch**

Location

The jugular notch is located at the base of the throat where the collar bones meet.

Use

This technique can be used for several situations for a passive resistor. It is used mainly to force the subject to sit down, prior to handcuffing, or it could be used as a distracter prior to applying a joint lock.

Technique

Hook your middle and third fingers into the jugular notch and apply pressure downward toward the subject's feet.

Steps	Action
1	Approach the subject from relative position 1.

2	Place your free hand on the subject's chest.

Continued on next page

3. Demonstrate three of the five Pressure Point Control techniques:

- **Jugular notch,** Continued

Technique
(continued)

3	Hook your middle and third fingers into the notch.

4	Apply pressure downward toward the subject's feet. • DO NOT press inward as you may damage the subject's throat.
5	Maintain arm control as the subject sits.
6	Release pressure when the subject complies, but do not release the technique.

4. Demonstrate the transport wristlock.

Use

This technique is used to move a subject using pain compliance. This technique can be used for several situations for a passive resistor who may attempt to become aggressive.

Technique

Gain control of the subject's wrist from the escort position and apply pressure downward on the wrist. As pain is felt in the wrist and hand, the subject will cease resistance and comply with your instructions. Continually tell the subject what you want done and as the subject begins to comply, ease the pressure on the wrist. Have the subject put his hand on his head and look away from you. You want to be able to see his other hand and you limit his ability to strike since he can't see you. Maintain complete control at the point of pain and tell the subject if he resists or fails to follow your instructions, pressure will be applied again.

Steps	Action
1	From the escort position.

2	Release weapon hand grip, rotate subject's elbow down while rotating subject's wrist up at the same time pulling the subject's arm/elbow to a position at your side and under your armpit.

Continued on next page

4. Demonstrate the transport wristlock, Continued.

Technique
(continued)

3	Bring the subject's wrist up in to the center of your chest.

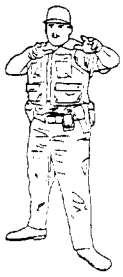
4	Move your weapon hand to cover the knuckles and first joints of the subject's fingers, locking your arms into your side to lock the subject's arm in to your chest.

Continued on next page

4. Demonstrate the transport wristlock, Continued.

Technique
(continued)

5	Apply pressure to the subject's hand, down and towards the reaction side.
6	Give the subject loud verbal commands.
7	When the subject demonstrates compliance, relieve the pressure, but do not release the technique.
8	Release the subject by lowering his hand forward and downward.
9	Instruct the subject to stop and maintain position until you direct otherwise. • Momentum will create distance. • Shoving could raise the stress level.
10	Recover to the ready stance. • Remember, aggressive behavior forced a pain technique.



Chapter 9
Demonstrate Level 4 Tactics

Overview

Introduction

This chapter describes the Commandant's policy regarding the fourth level in the Use of Force Continuum: Hard Control Techniques. This chapter describes when to use these techniques, and it provides the information needed to properly demonstrate the techniques.

Continued on next page

Overview, Continued

In this chapter

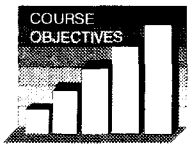
This chapter contains this information:

PQS Items	See Page
1. Explain when the use of Hard Control Techniques are appropriate.	9-B-1
2. Identify the "target areas" for Hard Control (Level 4) techniques.	9-B-2
3. Demonstrate the following Hard Control active countermeasures:	
(a) Three upper body techniques	9-B-4
(b) Three lower body techniques	9-B-16
4. Demonstrate a takedown.	9-B-22

Section A. Task Outline

Overview

Objective



Boarding personnel shall be able to explain in their own words the different situations in which hard control (Level 4) techniques are necessary; identify the "target areas" for hard control techniques; demonstrate three upper body techniques and three lower body techniques; and demonstrate a takedown.

Unit training programs should encourage members to review these skills not less than monthly. Such reviews should be structured to detect and rectify weaknesses in Level 4 skills and prepare members to meet their annual defensive tactics qualification requirements.

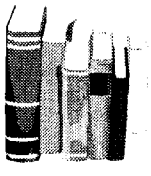
Policy

Level 4 techniques are designed to bring a subject under control with a probability of connective tissue damage, lacerations of the skin, or bone fractures.

Level 4 techniques should always be preceded by verbal commands. Verbal commands should always be given during the application of these techniques.

All boarding team members are required to complete Task 1-09 of the Boarding Officer/Boarding Team Member PQS for initial certification and annually thereafter. Qualified unit PQS instructors are required to approve the completion of this task.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

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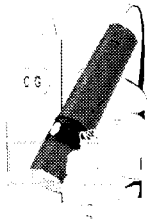
Overview, Continued

Equipment aids N/A



Section B. PQS Task 1-09 Demonstrate Level 4 Tactics

1. Explain when the use of Hard Control Techniques are appropriate.

Appropriate use	Hard control should be used only against active, aggressive resistors. Verbal commands should be given while reacting to allow the individual an opportunity to comply with your direction.

2. Identify the "target areas" for Hard Control (Level 4) techniques.

Target areas

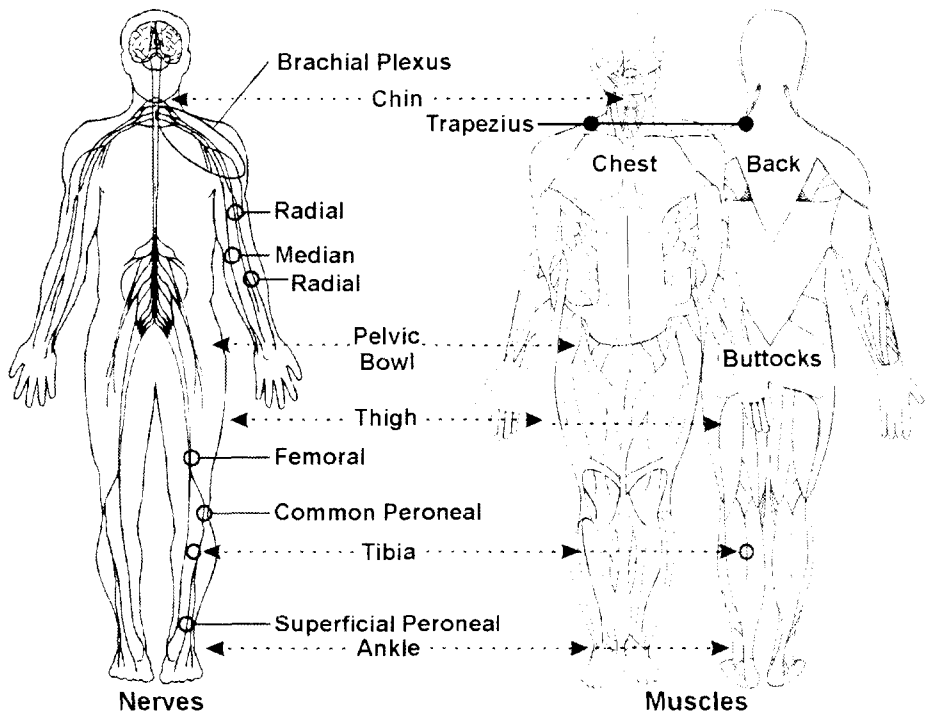
Target areas for hard control techniques are *nerve* or *muscle* areas. Striking these areas with solid punches and kicks creates a loss of muscle use from pain and temporary paralysis.

Fluid shock wave

The effectiveness of the strike, whether a punch, jab, or kick, is increased by using the fluid shock wave: drive your fist, knee, leg or shin firmly and deeply into the strike area.

Strikes to motor points

Strikes to motor points are not designed to cause permanent damage. Target areas for types of hard control techniques are:



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2. Identify the "target areas" for Hard Control (Level 4) techniques, Continued.

Method	Target Area	Location
Upper Body Techniques		
1. Front Jab*	Chin	
2. Straight Punch*	Pelvic Bowl	Lower abdomen
3. Forearm Strike*	Chest	
4. Elbow Strike*	Back	Backbone, between the shoulder blades, and large muscle groups
5. Brachial Stun	Brachial Plexus	Neck, below ear
6. Suprascapular Stun	Trapezius Muscle	Neck/shoulder
Lower Body Techniques		
1. Knee Strike*	Common Peroneal Nerve	1-4" above knee
2. Front Snap Kick*	Pelvic Bowl	Lower abdomen
3. Angle Kick*	Thigh	4" above knee
4. Superficial Peroneal Kick	Ankle	Along shin to the foot

*Alternate target areas may be used for the above indicated methods.

3. Demonstrate the following Hard Control active countermeasures:

(a) Three upper body techniques

Introduction

Most hard control techniques are executed from the high guard stance. This can be either a defensive position or a fighting stance. Use the high guard whenever you have reason to believe or feel a physical attack is coming. This high guard is an aggressive, professional stance which:

- Incorporates the principles of balance.
- Is a safe position that allows you to react to unexpected confrontations.
- Reduces reaction time for blocking incoming strikes.

Steps	Action
1	From the interview stance, move the weapon leg out and back to create a wide base, more than shoulder width apart.
2	Distribute weight equally on both feet, with knees slightly bent, and back straight.
3	Bring hands up near the face, keeping them open to block, redirect strikes, or to grab the aggressor. • Forearms and hands should be in a position where they can be used to protect your head.
4	Keep elbows bent and in close to sides for protection.
5	Give the subject loud verbal commands.

Continued on next page

3. Demonstrate the following Hard Control active countermeasures:

(a) Three upper body techniques, Continued

Front jab

The front jab is used to repel an active aggressor and as a setup for other strikes. The strike is delivered with the palm of your hand from the high guard into the aggressor's chin. As with other techniques, use loud verbal commands before and throughout the technique.

Steps	Action
1	From the high guard stance curl the fingers of your reaction hand down. • This is so you don't break your fingers or bend them backwards during the strike.

2	When the subject is within range, pivot with your hips, and strike with the heel of the reaction hand on the chin of the subject. • All of the power for this strike is generated by rotating your hips. You will end up off balance if you lunge. • Use the fluid shock wave. • A strike to the chest or shoulder is still effective if you miss the chin.
3	This technique will set you up for the straight punch. • The strike should arch the subject back to expose the stomach area.
4	Return to the high guard stance.
5	Give verbal commands.

Continued on next page

3. Demonstrate the following Hard Control active countermeasures:

(a) Three upper body techniques, Continued

Straight punch

The straight punch can be used by itself or in combination with the front jab. The effectiveness of this punch is increased by using the fluid shock wave - drive your fist firmly and deeply into the subject's pelvic bowl. Keep your reaction hand up as a guard. Use loud verbal commands throughout this technique.

Steps	Action
1	From the high guard make a fist with your weapon hand. • Keep your knuckles perpendicular to the deck to prevent rolling over your wrist.

2	Pivot with your hips, and strike the subject in the pelvic bowl, driving into the lower abdomen area. • All of the power for this strike is generated by rotating your hips. You will end up off balance if you lunge. • Use fluid shock wave theory.
3	This technique can be used immediately after a front jab for maximum effect.
4	Quickly return to the high guard stance.
5	Give verbal commands. • Tell the aggressor to stop.

Continued on next page

3. Demonstrate the following Hard Control active countermeasures:

(a) Three upper body techniques, Continued

Forearm strike

Forearm strikes are especially useful when the subject is in close and grabbing hold of the boarding team member. The objective is to create some distance. The forearm strike often combines two strikes, first from your reaction hand then from your weapon hand into the aggressor's chest. The first strike is not intended to be forceful, but rather to set the subject up for a powerful strike from your weapon forearm.

Steps	Action
1	From the high guard drop your reaction hand to your chest and make a fist, keeping your forearm parallel with the deck.

2	Push your reaction forearm into the subject's chest or brachial plexus. • Give task direction "Stop."

Continued on next page

3. Demonstrate the following Hard Control active countermeasures:

(a) Three upper body techniques, Continued

Forearm strike
(continued)

3	Repeat if needed with your weapon forearm. • Use a deep, wide base and pivot your hips for power, then drive your weapon forearm into the subject's chest. • Shout task direction "Stay Back."

4	Quickly shuffle your feet into about the 2 or 2½ position and take control of the subject, • or recover to the high guard and maintain your reactionary gap.
5	Give verbal commands. • Tell the aggressor to stop.

Continued on next page

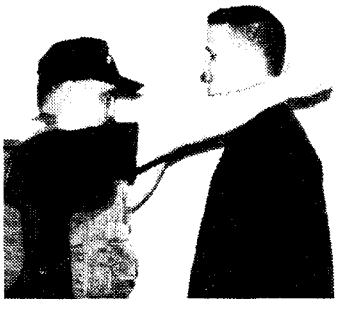
3. Demonstrate the following Hard Control active countermeasures:

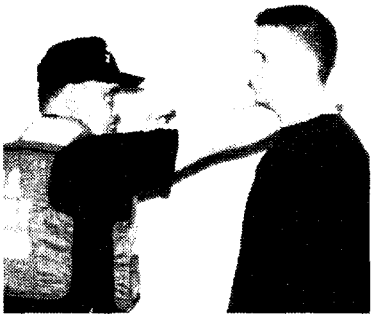
(a) Three upper body techniques, Continued

Brachial stun

The brachial stun is an effective technique that can be used from any stance and position using either the heel of your open palm, the back of the open hand, the inside of the forearm, or the meaty outside portion of the forearm. The strike area is at the origin of the brachial plexus on either side of the neck, directly below the ear.

If you drive the forearm bone into either side of the neck below the ear, you could damage the top of the spinal cord.





Steps	Action
1	From the high guard position, use a horizontal motion and firmly strike the subject on either side of the neck in the spot directly below the ear. Use: • The heel of your open palm, or • The back of the open hand, or • The inside of the forearm, or • The meaty outside portion of the forearm. * Use fluid shock wave theory.

Continued on next page

3. Demonstrate the following Hard Control active countermeasures:

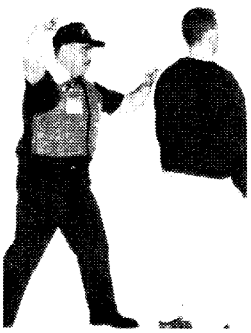
(a) Three upper body techniques, Continued

Brachial stun (continued)

2	Be prepared to support the subject should he fall down from the effects of the strike.
3	• Either quickly shuffle step to the 2 or 2½ position and take control of the subject, or • Recover to the high guard with a safe reaction distance.
4	Give verbal commands throughout the technique. • Tell the aggressor to stop.

Suprascapular stun

This technique is effective for use by an officer if the subject is fighting with your partner and you are coming to help. The technique is effective from any stance in the 2 ½ or 3 position. The strike is a downward motion with a hammer fist at the base of the neck where the trapezius muscle meets the neck.



Steps	Action
1	From the high guard position, rotate your hips so that the side of your reaction hip and the side of your reaction shoulder are pointing at the subject.
2	Make a fist with your weapon hand while bringing your fist up over the top of your shoulder (past your ear).

Continued on next page

3. Demonstrate the following Hard Control active countermeasures:

(a) Three upper body techniques, Continued

Suprascapular stun (continued)

3	Drive the bottom of your fist into the target area. • Either side of the subject's head where the neck meets the trapezius muscle. • Use fluid shock wave theory.
4	Be prepared to support the subject should he fall down from the effects of the strike • Give task direction.
5	Quickly shuffle into the 2 or 2½ position and take control of the subject, • or recover to the high guard with a safe reaction distance.
6	Give verbal commands. • Tell the aggressor to stop.

Elbow strike

This technique is designed to be used against a subject who is still an active aggressor, but is bent over or is trying to get up off the deck and fails to obey task directions. The strike is delivered with the elbow from the high guard and the 2 position. The target area is the subject's back. Aim for the muscle area on both sides of the spine when using this strike.

! Avoid striking the subject on the spine.

Continued on next page

3. Demonstrate the following Hard Control active countermeasures:

(a) Three upper body techniques, Continued

Elbow strike
(continued)

Steps	Action
1	From the high guard and the 2 position, and the subject is bent over at the waist.
2	Rotate your body so that your reaction hip and shoulder are pointing at the subject. • By doing this use your power base (stomach muscles) in the strike.
3	Make a fist with your weapon hand and bring your hand to your weapon shoulder.

4	Bring your elbow up over the top of your shoulder (past your ear) and drive your elbow down into the subject's back. • Try to avoid the spine. • Use fluid shock wave theory.
5	Quickly shuffle step to the 2 or 2½ position and take control of the subject, or recover to the high guard with a safe reaction distance.
6	Give verbal commands throughout the technique. • Tell the aggressor to stop.

Continued on next page

3. Demonstrate the following Hard Control active countermeasures:

(a) Three upper body techniques, Continued

Windmill or front choke break

This technique is effective when a subject has grabbed your chest or is choking you from the front. There are two objectives: to break the hold to escape and to protect your weapon. You use a full windmill motion to provide leverage as you swing your arm across the aggressor's hold. Protect your weapon by pivoting away and placing your free hand on your weapon.

Steps	Action
1	Secure your weapon in the holster with your weapon hand.

2	Raise your reaction hand, make a fist, and drive over the top of both of the subject's arms.

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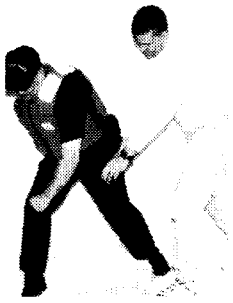
3. Demonstrate the following Hard Control active countermeasures:

(a) Three upper body techniques, *Continued*

Windmill or front choke break (continued)



3	Rotate your upper body toward your weapon side as you drive your reaction arm across the subject's arms. • Use momentum from a full windmill to break the hold.
4	If the subject is still choking you, drive your reaction elbow into the subject's head.
5	Quickly recover to the high guard with a safe reaction distance.
6	Give verbal commands. • Tell the aggressor to stop.

Rear escape

This technique is effective when a subject has grabbed you from behind. You have the same two objectives any time an aggressor grabs you: to break the hold to escape and to protect your weapon.

1	Secure your weapon in the holster with your weapon hand.

Continued on next page

3. Demonstrate the following Hard Control active countermeasures:

(a) Three upper body techniques, Continued

Rear escape
(continued)

Steps	Action
2	Turn your head to your reaction side, driving your chin into the aggressor's arm or elbow. • This move prevents the aggressor from choking you.
3	Grab the aggressor's elbow with your reaction hand.

4	With your reaction leg, step back behind the aggressor's leg and quickly pivot hard and fast to your reaction side. • Use the advantage of speed and momentum to break the hold.
5	Continue to move in the direction you are facing to keep the aggressor off balance.
6	Quickly recover to the high guard with a safe reaction distance or maintain your hold and control the aggressor.
7	Give verbal commands. • Tell the aggressor to stop.

3. Demonstrate the following Hard Control active countermeasures:

(b) Three lower body techniques

Common peroneal stun/knee strike

This technique is effective if a subject begins to actively resist from the escort position. This technique can be used effectively from any relative position. To maintain control of a resisting subject with your hands use a knee strike into the aggressor's leg as a distraction or to reinforce your control.

Steps	Action
1	Turn your hips toward the subject as quickly as possible using a split or shuffle step. • This reduces the chance of tripping.
2	Drive your knee into the aggressor's upper leg at 100% power. • If you use your reaction knee, your ideal target area is the common peroneal located 2 to 4 inches above the knee. • If you use your weapon knee, you will probably strike the sciatic nerve that runs down the back of the upper leg. * Where you strike will depend on which knee you use and the position of the subject. • If the subject is bent over, strike the stomach or chest area. • Use fluid shock wave theory.
3	Maintain control of the aggressor or quickly recover to the high guard with a safe reaction distance.
4	Give verbal commands. • Tell the aggressor to stop.

Continued on next page

3. Demonstrate the following Hard Control active countermeasures:

(b) Three lower body techniques, Continued

Angle kick

The angle kick is an effective distracter to keep your distance from an active aggressor. Use the shin bone on your weapon leg from any position to strike the aggressor's common peroneal/sciatic nerve.

Steps	Action
1	From the high guard position keeping the hands up as the subject approaches, turn your reaction foot out toward your reaction side.

Continued on next page

3. Demonstrate the following Hard Control active countermeasures:

(b) Three lower body techniques, Continued

Angle kick
(continued)

2	When the subject is in range, strike the common peroneal nerve with your weapon leg shin bone. • Point the toes on the weapon foot and angle the kick from the deck to the target area. • Rotate during the kick to use your power base. • Use fluid shock wave theory. • Pointing your toe exposes the shin bone which makes the kick more effective. • Keep your knee flexed to protect your knee from being damaged. • The ideal target area is the common peroneal nerve located along the outside of the leg approximately two to four inches above the subject's knee. • If the subject leads with the outside leg, aim for the femoral nerve on the inside of the subject's leg.
3	Return the weapon foot to the original position and resume the high guard with a safe reaction distance.
4	Give verbal commands. • Tell the aggressor to stop.

Continued on next page

3. Demonstrate the following Hard Control active countermeasures:

(b) Three lower body techniques, Continued

Front snap kick

This technique is effective to keep an advancing, but not charging, subject away from you. Use the ball of your foot to kick into the aggressor's stomach. Be careful to maintain your balance while using this maneuver.

Steps	Action
1	From the high guard, bring your weapon foot up as the subject approaches you. • Keep your hands up in the high guard position.
2	Bring your weapon foot straight up off the deck; drive the ball of your weapon foot into the pelvic bowl of the subject. • If the subject is tall, strike the front of the thigh. • Use the ball of your foot to strike the subject without injuring yourself. • Use the fluid shock wave theory.
3	Return the weapon foot to the original position and assume the high guard.
4	Give verbal commands. • Tell the aggressor to stop.

Continued on next page

3. Demonstrate the following Hard Control active countermeasures:

(b) Three lower body techniques, Continued

Superficial peroneal kick

This technique can be used from any stance but effectively from relative position 1, 2, and the inside position. Use the instep or toe of your weapon foot. The target is the superficial peroneal at the top of the ankle.

Steps	Action
1	From the high guard position keep your hands up as the subject approaches.
2	Slide in toward the subject with your reaction foot as if preparing to kick a football.

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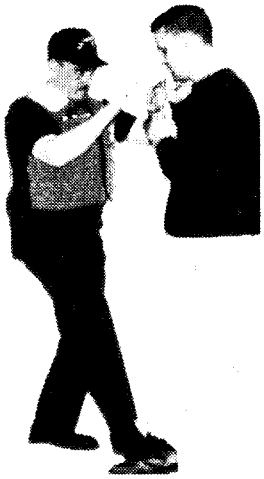
3. Demonstrate the following Hard Control active countermeasures:

(b) Three lower body techniques, Continued

Superficial peroneal kick (continued)



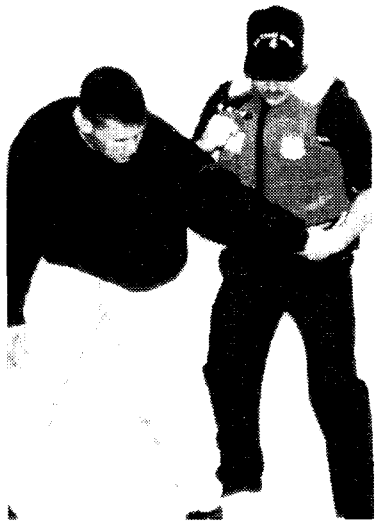
3	Use either the toe of your weapons foot to strike the subject's superficial peroneal • located at the joint between the top of the foot and the front of the ankle, or stomp your instep down the aggressor's shin to the ankle. • Use fluid shock wave theory.
4	After the strike, return your weapon foot to its original position and resume the high guard position.
5	Give loud verbal commands.

4. Demonstrate a takedown.

Straight arm bar takedown

This technique is applied to an active resistor from the escort position. The move begins with a knee stun. This puts the aggressor on the deck in a position for handcuffing. The aggressor's arm is pulled straight while you apply leverage to bring him to the ground. Maintain control of the subject throughout the move.

Steps	Action
1	From the escort position, apply a knee strike distracter when you feel the subject is resisting and may break free. • Verbal commands were not working.



2	Pull the subject's hand into your reaction side hip, twisting the palm of the hand up. • The subject's arm should be fully extended. • Lock the wrist into your hip and keep it there.
3	Release your weapon hand grip as the subject's balance is shifted. • Maintain control of the aggressor's hand with your reaction hand.
4	Load your weapon forearm to your shoulder, • Or grab the subject's arm, collar, shirt, etc.

Continued on next page

4. Demonstrate a takedown, Continued.

Straight arm bar takedown
(continued)

5	Bend slightly at the waist until your weapon forearm contacts the subject's triceps. • Do not strike the arm as this could dislocate the subject's shoulder. • Use your power base and drive the aggressor face down on the deck.
6	Use verbal commands, "Get Down."

7	As the subject begins to go down, step back with your reaction foot. • Rotate your body to your reaction side. • Keep your toes pointed forward to maintain balance through the next moves.

Continued on next page

4. Demonstrate a takedown, Continued.

Straight arm bar takedown
(continued)

8	When the subject is down, drop your weapon side knee into the subjects armpit or shoulder blade if possible.

9	Shift your reaction hand to wrist lock to maintain control of the subject's hand. • Keep your weapon forearm on the back of the subject's arm.
10	With complete control of the subject's arm, apply pressure at the elbow and shoulder. • The subject is positioned for prone handcuffing.
11	Give verbal commands throughout the technique. • Tell the aggressor to stop resisting. • Have the subject look away and extend the other arm perpendicular to his body.

Continued on next page

4. Demonstrate a takedown, Continued.

Modified straight arm bar take down

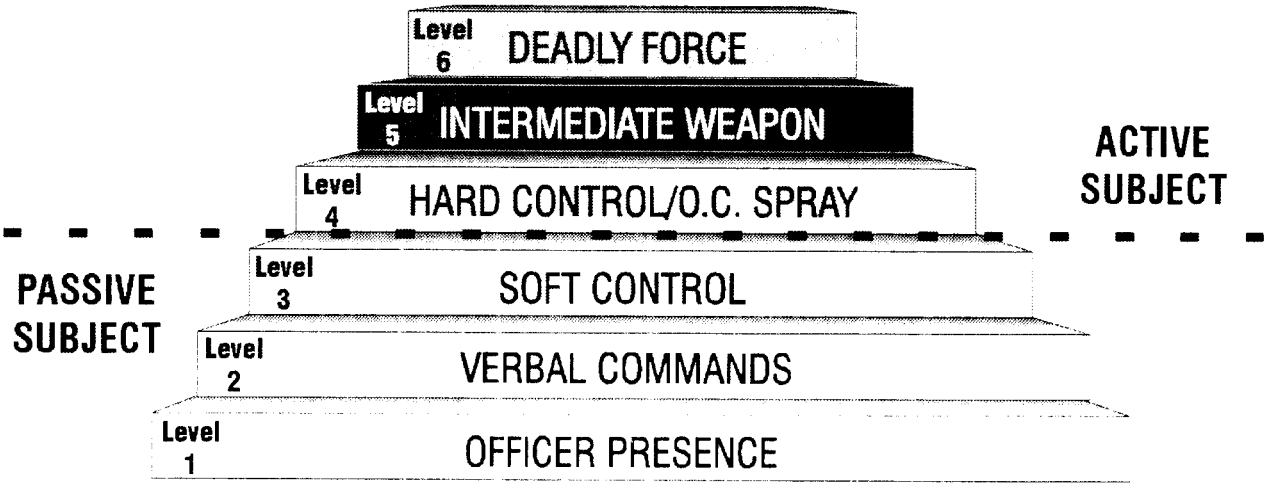
After the appropriate stun, grab the subject by the arm, shirt, collar, etc. Use your power base to drive the subject face down on the deck. Lock the subject's arm straight out and apply a wrist lock. Move the arm toward the head. Wedge your knee between the subject's arm and body.

Chapter 10
Demonstrate Expandable Baton Tactics (Level 5)

Overview

Introduction

This task describes the Commandant's policy regarding the use of the expandable baton in various situations. The use of the expandable baton can range from a signal during the interview stance to the full use of Level 5 tactics when deadly force is not justified.



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Overview, Continued

In this chapter

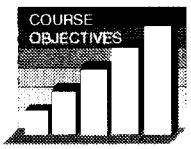
This chapter contains this information:

PQS Items	See Page
1. Explain when the use of an impact weapon is appropriate.	10-B-1
2. Demonstrate the ready and loaded position with an open and closed baton.	10-B-2
3. Demonstrate strikes to the target areas with an open baton.	10-B-6
4. Demonstrate strikes to the target areas with a closed baton.	10-B-9

Section A. Task Outline

Overview

Objective



The objective of this task is to demonstrate knowledge and skills in the use of the expandable baton. Knowing these factors can build the confidence of boarding team members and, in most cases, will eliminate the need for an increase in the level of the use of force during a boarding.

Policy

All USCG personnel involved in any aspect of ELT operations shall be fully qualified with Coast Guard Use of Force Level 5 tactics.

All boarding officers and boarding team members will be trained in and use as their primary impact weapon an expandable baton.

The baton will be worn on the weapons belt on either the weapon side or reaction side. If the baton is worn on the weapons side, make sure it does not interfere with the drawing of your weapon. The baton should be used in the weapon hand.

The baton shall have a polished chrome steel shaft, having no knurling or sharp edges, and a foam, non-slip grip. It shall be rigid when deployed with a length of 21 inches. The baton shall not be spring loaded or have a triggering device.

All boarding team members are required to complete Task 1-10 of the Boarding Officer/Boarding Team Member PQS for initial certification and annually thereafter.

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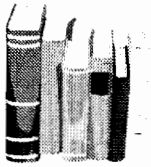
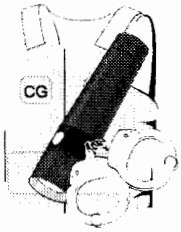
Overview, Continued

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids



- Personnel should be in boarding uniform
- Assistants should have suitable pads for protection during Level 5 demonstrations

Section B. PQS Task 1-10 Demonstrate Expandable Baton Tactics

1. Explain when the use of an expandable baton is appropriate.

As a warning	Bringing the expandable baton to the open, loaded position when confronted by an active aggressor serves as a visual warning to the subject. Use verbal commands to reinforce the need for compliance with your instructions.
As a weapon	An impact weapon may be used to control a subject "when deadly force is not justified, but hard control would not be sufficient."
Excessive force	The striking of a subject with a hard impact weapon is considered a Level 5 Use of Force. Although each situation must be evaluated based on the variables on scene, there are some instances when the use of the baton may indicate excessive, and unauthorized, use of force. These situations may include: • If you are much larger than the active aggressor • The aggressor is handcuffed • More than one boarding team member striking only one subject The proper application of minimum force necessary to compel compliance will prevent the occurrence of any controversial situations.

2. Demonstrate the ready and loaded position with a closed and open baton.

Ready position with a closed baton

A situation may develop in which you feel threatened, such as when a subject does not heed your verbal commands (Level 2). To emphasize your authority, you could draw your expandable baton. This provides a signal to the aggressor, and also positions the baton in your hand should you need to use it.

Steps	Action
1	In the interview stance, hold the baton in a relaxed grip at the abdomen with your weapon hand.

2	To assume the ready position, place the closed baton behind the thigh of your weapon leg.

Continued on next page

2. Demonstrate the ready and loaded position with a closed and open baton, Continued.

Ready position with a closed baton (continued)

3	To assume the loaded position, move into the high guard position, with the baton at your weapon shoulder. • Place your thumb over the tip of the baton to prevent an accidental expansion. • Extend the reaction hand toward the subject.
4	Use verbal commands with each change of stance.

Closed baton criticalities

The following "criticalities" should be used to evaluate the demonstration of the closed baton stances:

1. Balanced stance - knees bent, back straight
2. Proper hand and baton positions
3. Verbal commands throughout the technique

Ready position with an open baton

The previous stances may also be assumed with an open baton. This may be desirable for additional effect if the subject is larger than you are, or appears likely to become an active aggressor.

Continued on next page

2. Demonstrate the ready and loaded position with a closed and open baton, Continued.

Opening the baton Open the baton by holding the handle with the tip down and snapping the wrist, causing the shaft to extend and lock into place.

Steps	Action
1	In the ready position, hold the baton with your weapon hand and place the baton behind your weapon leg. • This partially hides the baton and helps prevent an aggressor from being able to grab the baton. • Extend the reaction hand towards the subject. • The baton may also be brought up on the outside of the upper arm in the loaded position.

Continued on next page

2. Demonstrate the ready and loaded position with a closed and open baton, Continued.

Opening the baton
(continued)

2	To assume the loaded position, move into the high guard position, with the baton at your weapon shoulder. • The end of the baton should be horizontal. • The baton should be highly visible.
3	Use verbal commands with each change of stance.

3. Demonstrate strikes to the target areas with an open baton.

Arm strike

The target area for this strike is the muscle mass on the forearm of an advancing subject.

Steps	Action
1	Assume the high guard and loaded position.

2	Strike at a 45 degree angle to the muscle on the forearm below the elbow. • Strike the inner or outer forearm, depending on which arm the subject presents to you.
3	Recover to the loaded stance.
4	Use verbal commands throughout the technique.

Continued on next page

3. Demonstrate strikes to the target areas with an open baton, Continued.

Leg strike

The target area for this strike is the upper thigh approximately four inches above the knee.

Steps	Action
1	Assume the high guard and loaded position.
2	As the subject assumes a threatening stance and exposes a leg, strike the upper thigh approximately four inches above the knee. • Or strike the center of the lower leg calf muscle.

3	Recover to the ready position.
4	Use verbal commands throughout the technique.

Backhand cutting strike with an expanded baton

After following through with a strike, or if you have missed the subject, the baton will be on your reaction side. If the subject is still threatening, you have an opportunity to keep the subject away with a quick backhand strike at your thigh level. This is not a fluid shock wave strike; the intent is to return the weapon to the loaded position as quickly as possible and to clear your immediate area of any threat.

The baton is swung in a backhand fashion to the thigh target area. Remember to keep your reaction hand up and verbalize, "get back."

Continued on next page

3. Demonstrate strikes to the target areas with an open baton, Continued.

Backhand cutting strike with an expanded baton (continued)

Steps	Action
1	After striking a subject (or missing) the baton is on your reaction side.

2	Swing the baton in a backhand fashion at your thigh level. • Strike at the leg. • If the subject's arm is extended, this is a possible target.
3	Quickly recover to the loaded stance.
4	Use verbal commands throughout the technique.

4. Demonstrate strikes to the target areas with a closed baton.

Tie in strike

The target area for this strike is the subject's chest area. The strike is delivered with your thumb over the tip of the baton driving the butt cap of the baton into the chest muscle.

Steps	Action
1	Move out of the inside relative position.
2	Load the baton to your weapon shoulder.

3	With your thumb over the tip, drive the tail cap of the baton into the subject's chest muscle (brachial plexus tie in).

Continued on next page

4. Demonstrate strikes to the target areas with a closed baton, Continued.

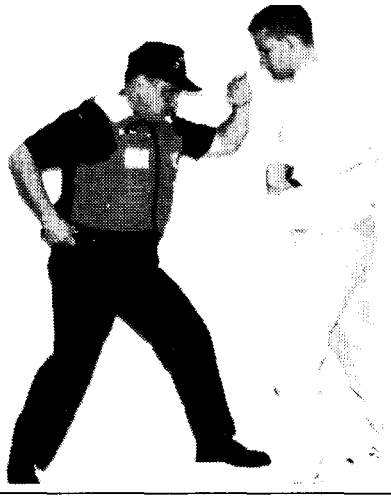
Tie in strike
(continued)

4	Recover to the loaded stance.
5	Use verbal commands throughout the technique.

Straight strike

The target area for this strike is the subject's pelvic bowl. The tip of the baton is not covered during this technique.

Steps	Action
1	Move out of the inside relative position.



2	From the loaded stance, lower the baton to your weapon hip and uncover the tip. Keep the baton parallel with the deck.

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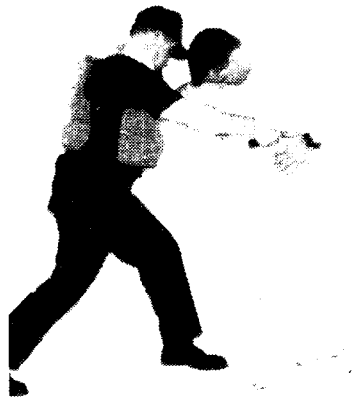
4. Demonstrate strikes to the target areas with a closed baton, Continued.

Straight strike (continued)



3	Rotate your hips and drive the tip of the baton into the subject's pelvic bowl. (Similar to a straight punch.)
4	Recover to the ready position.
5	Use verbal commands throughout the technique.

Straight punch variation

The target area for this strike is the subject's pelvic bowl. The closed baton is held in your fist as you strike.

Steps	Action
1	Move out of the inside relative position.

2	From the loaded stance, lower the baton to your weapon hip and uncover the tip. Keep the baton perpendicular to the deck.

Continued on next page

4. Demonstrate strikes to the target areas with a closed baton, Continued.

Straight punch variation
(continued)

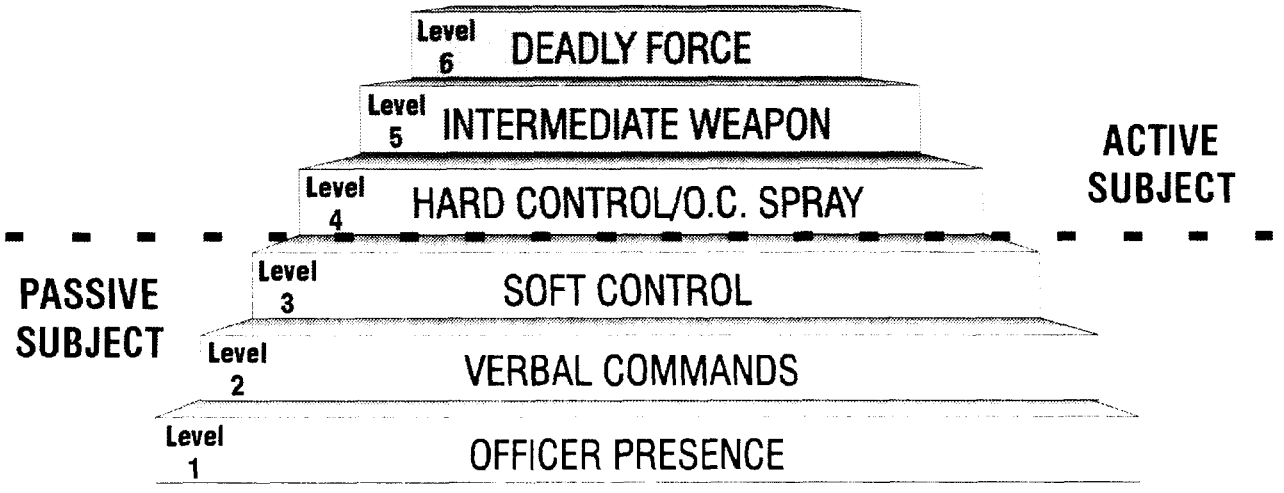
3	Rotate your hips and drive your fist into the subject's pelvic bowl.
4	Recover to the ready position.
5	Use verbal commands throughout the technique.

Chapter 11
Demonstrate Level 1-5 Tactics

Overview

Introduction

The use of force continuum involves a gradual increase in the force applied to a subject to achieve compliance. This task is simply a demonstration of your ability to recognize and use various levels of force in a situation to control a subject.



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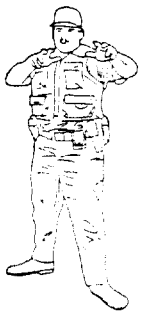
Overview, Continued

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Demonstrate the ability to combine techniques, and use two-person tactics to control a subject.	11-B-1



Section A. Task Outline

Overview

Objective

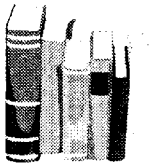
The objective of this task is to demonstrate skills combining techniques and using teamwork to control a subject. Knowing these factors can build the confidence of boarding team members and, in most cases, will eliminate the need for an increased level of the use of force during a boarding.

Policy

All USCG personnel involved in any aspect of ELT operations shall be fully qualified with Coast Guard Use of Force Tactics.

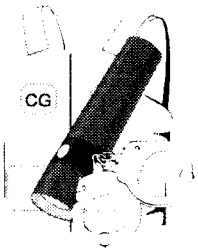
All boarding team members are required to complete Task 1-11 of the Boarding Officer/Boarding Team Member PQS for initial certification and annually thereafter.

References

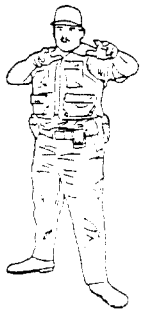


1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids



- Personnel should be in full boarding uniform.
- Assistants should have suitable pads for protection during level 4 and level 5 demonstrations.



Section B. PQS Task 1-11 Demonstrate Level 1-5 Tactics

1. Demonstrate the ability to combine techniques, and use two person tactics to control a person.

Combining techniques

The use of force continuum involves a gradual increase in the force applied to a subject to achieve compliance. In this task you will be presented a scenario and will be evaluated on your recognition of the threat and the proper application of force. Not all five levels of force may be expected for the situation.

Review

Review Chapter 6 through Chapter 10 of Part I - Boarding Team Member PQS SAB, prior to demonstrating the skills for this chapter.

Using teamwork

Although the use of force control techniques are designed to be effective in a one-on-one situation, you should try to have another member of the boarding team back you up during any control technique. This increases the officer presence (Level 1), reinforces verbal commands (Level 2), and should cause the individual to reassess the impulse to resist or not comply with instructions.

Assigning roles

Boarding team members should function as a team. As discussed more fully in Chapter 18 of Part I - Boarding Team Member PQS SAB, boarding team members should develop non-verbal communication techniques to signal intended actions and roles. Team members, when practicing together, will also develop regular positions and responsibilities. For example, one member may have better verbal skills and will give the commands, while another member may present a more physical appearance and will provide back-up or escort support. Regular practicing with team members will build this teamwork.

Continued on next page

1. Demonstrate the ability to combine techniques, and use two person tactics to control a person, Continued.

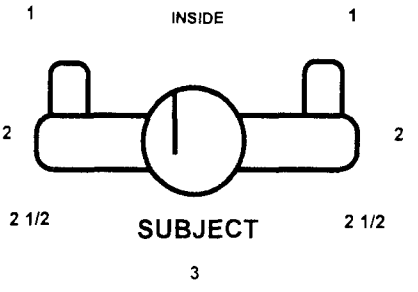
Variable scenarios

Team members should practice on subjects using different scenarios. For example, they might try the subject in the sitting or standing positions with approaches from relative position 1 and 3.

Positioning

In most cases, the assistant will be in an opposite relative position to the subject as the addressing officer. This is done to separate the subjects' attention.

- Remember to blade your weapon. Each stance and approach should maintain weapon safety.



Two officer technique

This technique should be used in a situation where two officers are needed to control a subject.

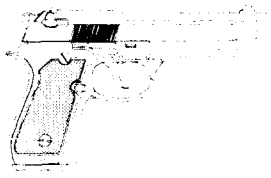
Steps	Action
1	Assume opposite relative positions from the subject. • Use interview or high guard stance as appropriate. • Position yourself to provide the best support to your partner if the subject becomes an active aggressor.
2	One officer gives a verbal distracter as the other moves in and applies a control technique. • The first officer maintains a relative position to assist as necessary. • Use soft control for a passive resistor, hard control for an active aggressor.

Continued on next page

1. Demonstrate the ability to combine techniques, and use two person tactics to control a person, Continued.

Two officer technique (continued)

3	When the subject is controlled, have him or her extend his or her arms to allow the other officer to apply an escort hold or handcuff, depending on the scenario. • If the subject is sitting, have him or her stand up.
4	When the subject is controlled and in position, the first officer applies an escort hold or handcuffs. • Control of the subject is maintained during the maneuver.
5	The officer not in contact with the subject assumes a cover position in case the subject decides to resist.
6	Use verbal commands throughout the technique. Repeat task direction and give consequences at each step. • "We are going to move you now. If you make any movement before we tell you to move, it will be taken as a sign of aggression, and you may get hurt."



Chapter 12
Demonstrate Weapons Retention

Overview

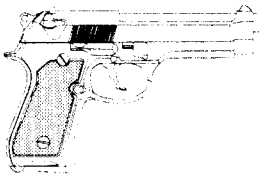
Introduction

This task describes techniques to prevent an aggressor from gaining control of your weapon. Approximately 90% of the suspects who succeed in disarming law enforcement officers attempt to use the weapon on the officer. In most situations, weapon awareness and body positioning prevents your weapon from being readily accessible to a subject. Remember, awareness and common sense are your best weapon retention techniques. Successful retention of the weapon is the primary criticality for this skill.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Retain your holstered service pistol from a grab.	12-B-1
2. Retain your drawn service pistol from a grab.	12-B-4
3. Demonstrate the following:	
(a) Rear Escape	12-B-7
(b) Front Choke Break	12-B-9



Section A. Task Outline

Overview

Objective

The objectives of this task are to demonstrate weapons retention techniques with a holstered and drawn weapon, and escape techniques when your weapon is drawn.

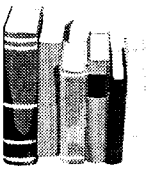
Unit training programs should encourage members to review these skills not less than monthly. Such reviews should be structured to detect and rectify weaknesses in weapon retention skills and prepare members to meet their annual qualification requirements.

Policy

These techniques may involve the use of deadly force. Verbal commands should always be given before and during the application of these techniques.

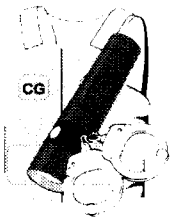
All boarding team members are required to complete Task 1-12 of the Boarding Officer/Boarding Team member PQS for initial certification and annually thereafter. Qualified unit PQS instructors are required to approve the completion of this task.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1(series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids



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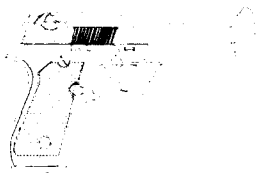

Section B. PQS Task 1-12 Demonstrate Weapons Retention

1. Retain your holstered service pistol from a grab.

Weapon retention with a weapon holstered

If a subject attempts to grab your weapon from the front, rear, or side the most important thing you can do is to ensure that your weapon does not come out of the holster. Yell "Gun Grab" to alert other boarding team members of the situation. Raise the holster to force the weapon into your hip if possible, as this will make it more difficult to remove the weapon.

Securing the weapon in the holster

Steps	Action
1	Drive both hands straight down on top of your holstered weapon, trapping the subject's hand if necessary. • Yell "Gun Grab".

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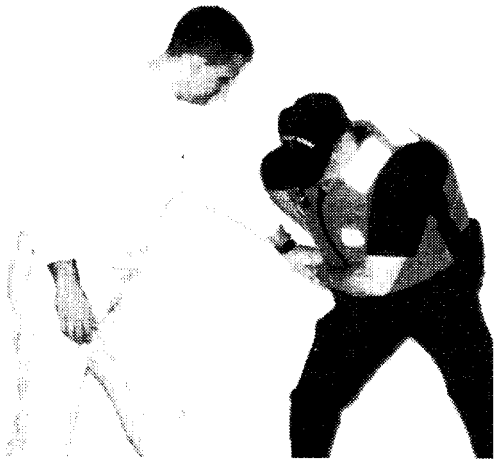
1. Retain your holstered service pistol from a grab, Continued.

Securing the weapon in the holster (continued)



2	Get a deep wide base and lower your center of gravity. • If the gun grab is from the side or rear, pivot and face the subject by shifting your weapon leg.

3	Rotate your hips and drive your weapon forearm into the subject's arm.

Continued on next page

1. Retain your holstered service pistol from a grab, Continued.

Securing the weapon in the holster (continued)

3 (cont'd)	• If necessary rotate your hips in the opposite direction and drive your reaction forearm into the subject's arm. • Continue to pivot and strike until the subject releases your weapon. Use knee strikes to the upper leg if the opportunity exists.
4	When the subject releases the weapon, create distance and recover to the high guard position, giving task direction. • If the weapon comes loose and falls to the ground, fight for it. • Do not attempt to disarm an armed subject except as a last resort.
5	Give loud verbal commands throughout.

2. Retain your drawn service pistol from a grab.

Securing a drawn weapon

A drawn weapon is more vulnerable to a gun grab than a holstered weapon. Again, the most important thing you can do is to ensure that you retain your weapon. Yell "Gun Grab" to alert other boarding team members of the situation. Successful retention of the weapon is the primary criticality for this skill.

Steps	Action
1	Hold on to weapon with both hands.
2	Step into the subject with your reaction leg while yelling for help.
NOTE	This move improves your stability, keeps the weapon close to your abdomen and strengthens your hold on the weapon.

Continued on next page

2. Retain your drawn service pistol from a grab, Continued.

Securing a drawn weapon
(continued)

2	Force the muzzle up and the grip down without moving the weapon too far from your body. • Jam the weapon toward the subject's ear or shoulder to attempt to break or loosen his or her grip. • This hyperextends the subject's wrists, weakening his or her grip.

3	Forcefully pull the weapon down and away from the subject. • Continue to push and pull until the subject releases your weapon.

Continued on next page

2. Retain your drawn service pistol from a grab, Continued.

Securing a drawn weapon
(continued)

4	When the subject releases the weapon, create distance, and recover to the high guard position, giving task direction. • If the weapon comes loose and falls to the ground, fight for it. • Do not attempt to disarm a subject except as a last resort.
5	Give loud verbal commands throughout.

3. Demonstrate the following:

(a) Rear Escape

Choke hold from the rear

If a subject grabs you in a choke hold from the rear, this can be considered deadly force. Two important considerations are to secure your weapon and to escape the hold.

Steps	Action
1	Secure your weapon with your weapon hand.
2	Quickly turn your head to your reaction side and tuck your chin into the subject's elbow. • This is to maintain your airway.
3	Grab the subject's elbow with your reaction hand.

Continued on next page

3. Demonstrate the following:

(a) **Rear Escape,** Continued

Choke hold from the rear
(continued)

4	With your reaction leg, step back behind the subject's leg and quickly pivot to your reaction side as far as you can.

5	Walk out of the hold and create distance.
6	Recover to the high guard position.
7	Give the subject loud verbal commands.

3. Demonstrate the following:

(b) Front Choke Break

Windmill or choke hold from the front

If a subject grabs you in a choke hold from the front, this can also be considered deadly force. Again, the two important considerations are to secure your weapon and to escape the hold.

1	Secure your weapon with your weapon hand.

2	Make a fist with your reaction hand while bringing your arm up above your shoulder.

Continued on next page

3. Demonstrate the following:

(b) Front Choke Break, Continued

Windmill or choke hold from the front
(continued)

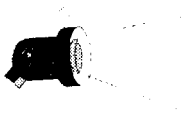
3	Rotate your hips and throw your reaction arm over both of the subject's arms.

4	Follow through until the subject's hold is broken. • If you do not break the hold look at the face area and strike the subject with your reaction elbow.
5	Recover to the high guard position.
6	Give the subject loud verbal commands.

Chapter 13
Remove a Weapon From a Cooperative Subject

Overview

Introduction

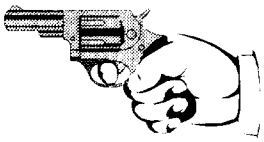


This chapter describes the methods to safely remove a weapon from a cooperative subject. Verbal Commands (Level 2) should be used throughout this technique. Your safety and the safety of other boarding team members is a consideration when you decide to remove a weapon from a subject.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Demonstrate the procedure to remove a weapon from a cooperative subject.	13-B-1



Section A. Task Outline

Overview

Objective

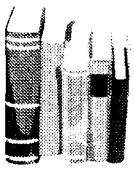
The objective of this task is to safely remove a weapon from a subject.

Policy

All USCG personnel involved in ELT operations should be fully familiar with removing a weapon from a subject.

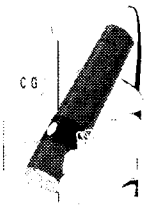
All boarding team members are required to complete Task 1-13 of the Boarding Officer/Boarding Team Member PQS for initial qualification, and recertification every twelve months.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids



- Mock-pistols and rifles or knives

Section B. PQS Task 1-13 Remove a Weapon from a Cooperative Subject

1. Demonstrate the procedure to remove a weapon from a cooperative subject.

Situation

There may be a situation in which a non-aggressive subject indicates that he or she has a personal weapon, or you may notice a weapon on an individual. Your initial conversation with the individuals on the vessel you are boarding should always include a question about weapons. If a subject admits to having a weapon, or if you notice a weapon, the safest procedure is to secure the weapon prior to the start of the boarding. In most cases, you do not want to have the individual hand you the weapon. (Remember the deadly force triangle: Weapon, Opportunity, Intent. The first two elements are clearly present, and you may not be able to fully determine intent at the beginning of the boarding).

Basic steps

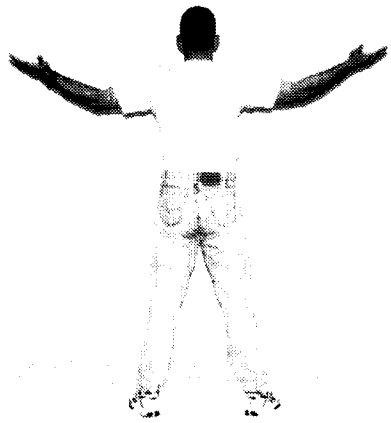
There are three recommended methods for removing a weapon from a cooperative subject.

Steps	Action
1	Tell the individual not to touch the weapon.
2	Tell the individual to place their arms straight out to the sides with the palms up.

Continued on next page

1. Demonstrate the procedure to remove a weapon from a cooperative subject, Continued.

Basic steps
(continued)



3	Tell the individual to turn and face away from you. (You want to be in relative position 2½ or 3.)
4	Have the subject assume the position you want (hands back, on top of head, or kneeling with hands on head). Position you will want is dependent on size of subject as well as where the weapon is located.
5	Give a verbal distracter and remove the weapon.
6	Give the weapon to another boarding team member.
7	Release the subject and tell him or her what to do next.

Use of verbal commands

Make sure you do not overload the subject with too many steps at once. Tell the subject one task to complete at a time.

- Repeat task direction and consequences if necessary.
- Give a verbal distracter during weapon removal.
- Give appropriate instructions after the weapon is secured.

Continued on next page

1. Demonstrate the procedure to remove a weapon from a cooperative subject, Continued.

Cautions

- If the weapon is in the open and not on an individual, tell the people on board to stay away from the weapon. You or another boarding team member can then safely secure the weapon.
- Do not reach across the front of the individual where your movement is visible.
- Reach in from a blind side.
- Maintain awareness and control of the individual until the weapon is secured.
- Maintain your weapon in a safe position upon your approach.

Method one

This method is used when the weapon is exposed in front of the subject's waistband.

Steps	Action
1	Tell the individual to extend arms and hands directly behind the back with the palms out.

2	Tell the subject to interlace the fingers.
3	Tell the subject to look away from your approach side.

Continued on next page

1. Demonstrate the procedure to remove a weapon from a cooperative subject, Continued.

Method one
(continued)

4	Approach the subject in the ready position and grab his or her fingers.

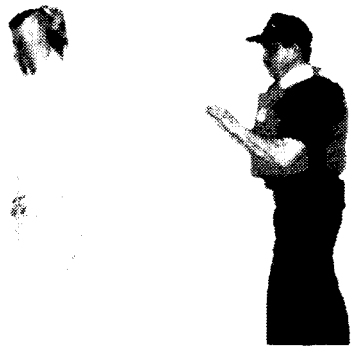
5	Give a verbal distracter and then reach around and remove weapon.

Continued on next page

1. Demonstrate the procedure to remove a weapon from a cooperative subject, Continued.

Method two

This method may not be effective if the subject is much taller than you.



Steps	Action
1	Tell the individual to place hands on top of the head.
2	Tell them to interlace the fingers.
3	Tell the subject to place the elbows together and look away from your approach side.

4	Approach the subject in the ready position and grab the subject's fingers with your hand.

Continued on next page

1. Demonstrate the procedure to remove a weapon from a cooperative subject, Continued.

Method two
(continued)

5	Give a verbal distracter and then reach around and remove weapon.

Method three

Method three uses the same approach and procedure as a frisk search. This method is very effective for a substantially larger subject because the subject is off balance.

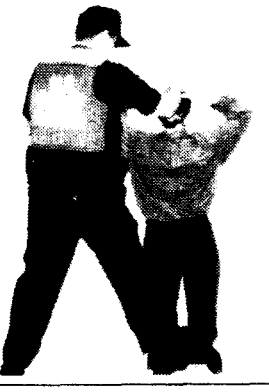
Steps	Action
1	Tell the subject to get on the knees, one knee at a time while keeping the arms straight out.

Continued on next page

1. Demonstrate the procedure to remove a weapon from a cooperative subject, Continued.

Method three
(continued)

2	Tell the individual to place hands on top of the head.



3	Tell the subject to interlace the fingers.
4	Tell the subject to cross the ankles.
5	Tell the subject to place the elbows together and look away from your approach side.

6 NOTE	Approach the subject in the ready position, grasp the fingers and block the subject's top leg with your foot. The subject's top leg, when crossed, should be pointing toward the officer's weapon.

Continued on next page

1. Demonstrate the procedure to remove a weapon from a cooperative subject, Continued.

Method three
(continued)

7	Reach around and remove weapon.

Chapter 14
Make a Found Weapon Safe

Overview

Introduction

This chapter describes the methods to make a found weapon safe. Weapons should be secured in a manner to protect the boarding team. Merely leaving the weapons where they are and placing a boarding team member nearby *may* suffice. Your safety and the safety of other boarding team members are a consideration when you decide to remove a weapon from a subject.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Explain procedures to make a found weapon safe.	14-B-1

Section A. Task Outline

Overview

Objective

The objective of this task is to safely secure a weapon found during the course of a boarding.

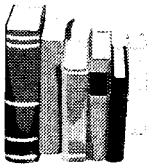
Policy

Each boarding begins with basic questions, including whether there are weapons aboard, regardless of the size of the vessel being boarded. Locating and securing or neutralizing weapons are done to ensure the safety of the boarding team.

ALL USCG personnel involved in ELT operations should be fully familiar with removing a weapon from a subject.

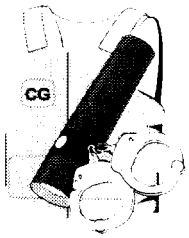
All boarding team members are required to complete Task 1-14 of the Boarding Officer/Boarding Team Member PQS for initial qualification and recertification every twelve months.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)
3. U.S. Coast Guard Boarding Officer Job Aid Kit (BOJAK), COMDTINST M16247.6

Equipment aids



- BOJAK/Automatic Weapons Flow Chart
- Wire ties

Section B. PQS Task 1-14 Make a Found Weapon Safe

1. Explain procedures to make a found weapon safe.

General safety rule

For your safety and the safety of other boarding team members, all boarding personnel must be made aware that there are weapons on board. If the weapon is in the open and not on an individual, tell the people on board to stay away from the weapon. You or another boarding team member can then safely secure or monitor the weapon.

Basic procedure

These are the basic procedures to make a found weapon "safe":

Steps	Action
1	Engage safety (if installed or identified).
2	Unload the weapon. • Make sure weapon is pointed in a safe direction during the unloading procedure.
3	Move the weapon to a location where it will be inaccessible to the crew of the boarded vessel; for example: • Place the weapon in the boarding kit. • Move the weapon to a location unknown to the crew. • Separate the weapon from the ammunition. • Post a guard.
4	Ensure chamber/barrel is clear.

Unloading pistols (similar to the CG Service Weapon)

Steps	Action
1	Engage safety (if installed or identified).
2	Remove the magazine.
3	Lock slide to the rear.
4	Ensure there is no round in the chamber and barrel is clear.

Continued on next page

1. Explain procedures to make a found weapon safe, Continued.

Unloading revolvers (fixed cylinder)

Steps	Action
1	Engage safety (if installed or identified).
2	Open the loading port alongside the cylinder.
3	Place weapon in half-cocked position.
4	Dump cartridges out of port while rotating cylinder. • Use pushrod if necessary.
5	Ensure chamber/barrel is clear.

Unloading revolvers (swing cylinder)

Steps	Action
1	Engage safety (if installed or identified).
2	Press cylinder release.
3	Swing cylinder out of the frame.
4	Dump cartridges into your hand. • Use ejection rod if necessary.
5	Ensure chamber/barrel is clear.
6	Close cylinder to slow the reloading process. Some very old revolvers break in half. The cylinder catch is located near the rear sights.

Unloading rifles

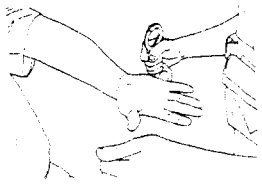
Steps	Action
1	Engage safety (if installed or identified).
2	Swing open bolt action.
3	Release magazine (an indented button is usually located on the side of the rifle).
4	Ensure chamber/barrel is clear.
5	Stow ammunition and rifle in separate locations to slow the reloading process.

Continued on next page

1. Explain procedures to make a found weapon safe, Continued.

Unloading shotguns

Steps	Action	
1	Engage safety (if installed or identified).	
2	Remove the source of ammunition.	
3	Pump Action	Bolt Action
	Remove ammunition from chamber, turn weapon over and look for a loading tube.	Manually remove the ammunition by working the bolt back and forth. (If magazine fed, remove magazine first.)
4	The shells can be removed by depressing the prong(s) where the shell is seated in the tube.	Ensure that the chamber/barrel is clear.



Chapter 15
Handcuff A Subject

Overview

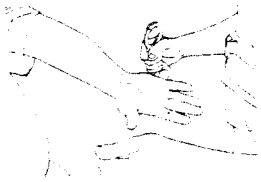
Introduction

This task describes the proper procedures to be used when handcuffing a subject.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Discuss the situations and explain the procedures for restraining a subject in handcuffs without effecting an arrest.	15-B-1
2. Explain your responsibilities for a handcuffed subject.	15-B-3
3. Handcuff a non-resisting subject:	
♦ In the standing position	15-B-4
♦ In the kneeling position	15-B-12
♦ In the prone position	15-B-20
♦ In the offside position	15-B-28
4. Handcuff a resisting subject:	
♦ Iron wristlock takedown	15-B-35
♦ Iron wristlock takedown/the whip	15-B-37
5. Remove handcuffs from a subject.	15-B-39



Section A. Task Outline

Overview

Objective

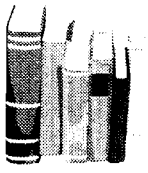
The objective of this task is to articulate when to handcuff a subject, demonstrate cuffing techniques on a non-resisting and resisting subject, and describe procedures for removing cuffs.

Policy

ALL USCG personnel involved in ELT operations should be fully familiar with handcuffing a subject.

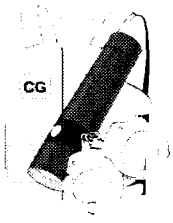
All boarding team members are required to complete Task 1-15 of the Boarding Officer/Boarding Team Member PQS for initial qualification and recertification every twelve months.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids



- Handcuffs

Section B. PQS Task 1-18 Handcuff A Subject

1. Discuss the situations and explain the procedures for restraining a subject in handcuffs without effecting an arrest.

Restraint in handcuffs	Boarding officers may restrain persons in handcuffs when those persons are forcibly or non-forcibly interfering with the boarding, or for their own protection. Restraining an individual without effecting an arrest is considered non-deadly force.
Handcuffing authorized	Handcuffing is authorized as necessary to compel compliance during a boarding when an individual is: • interfering with the boarding, • behaving in a confrontational manner, • inciting others to violence, or • creating a situation which threatens the safety of the individual and/or boarding personnel.
Warnings	Prior to restraining an individual with handcuffs, the person must be specifically warned to stop the aggressive conduct or he or she will be restrained with handcuffs. (Level 2 - give directions and consequences.) The warnings should be repeated at least once. If the individual continues aggressive behavior, place him or her in handcuffs.
Notification of no arrest	Inform the individuals immediately that they are not under arrest, but have been restrained for their own safety. Inform them that they will be released at such time as they calm down and provide assurances that they will behave themselves, or at the conclusion of the boarding.

Continued on next page

1. Discuss the situations and explain the procedures for restraining a subject in handcuffs without effecting an arrest, Continued.

Procedures to restrain in handcuffs

The following procedure will be used when restraining someone in handcuffs:

Steps	Action
1	Individuals must be warned twice that if they do not desist, they will be placed in handcuffs. • Use verbal commands with consequences.
2	Use the minimum force necessary to compel compliance when handcuffing the individual. • Use verbal commands with consequences.
3	After handcuffing the person, advise the subject that he or she is not under arrest and will be released as soon as the aggressive behavior stops or at the conclusion of the boarding. If at any time during this process the individual forcibly resists, he or she has committed an assault and may be placed under arrest.

2. Explain your responsibilities for a handcuffed subject.

Safety concerns

You are responsible for the safety of all persons you place in handcuffs. The health of the person(s) in handcuffs must be taken into account in all situations. As the subject's "custodian" you are responsible for:

- Health and sanitation
- Availability of food and water
- Inventory and recording of valuables (following an arrest)
- Instructions to guards
- Relief of guards
- Acknowledgment of Rights (following an arrest)

PFDs

Placing handcuffed subjects into Personal Flotation Devices (PFDs) should be considered in all instances if reasonable. However, all persons arrested must be placed in handcuffs prior to their transfer from one vessel to another, and PFDs must be worn by all people during transfer from one vessel to another.

3. Handcuff a non-resisting subject:

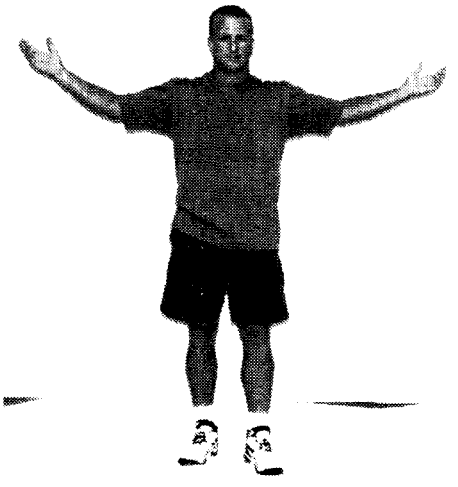
♦ In the standing position

When to use

This technique may be used when you feel the subject will not resist.

If the subject resists

Throughout this technique, maintain control of the subject's wrist, either with control of the cuffs or the subject's hand. Use joint manipulation of the wrist or a whip move to regain control of the subject. Use verbal commands with consequences to reinforce the expected behavior.



Steps	Action
1	Instruct the subject to extend his or her hands from the shoulder with the palms up.

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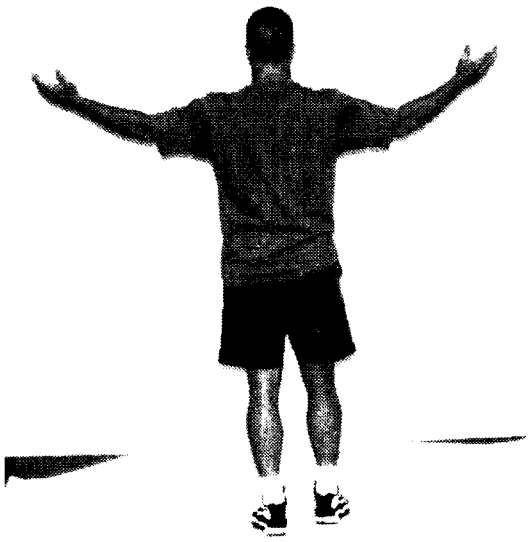
3. Handcuff a non-resisting subject:

♦ In the standing position, Continued

If the subject resists (continued)



2	Have the subject slowly turn 180° degrees. • Look closely for any weapons. • Complete this initial step by having the subject stop while facing away from you.

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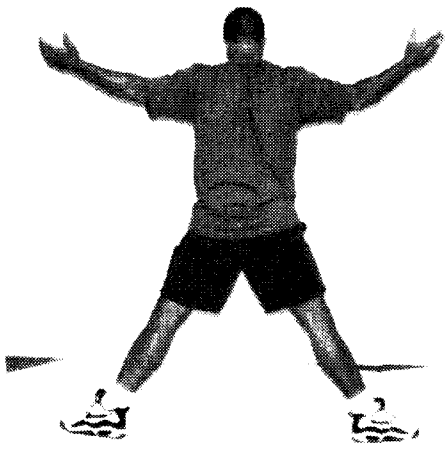
3. Handcuff a non-resisting subject:

♦ In the standing position, Continued

If the subject resists (continued)



3	Have the subject move feet apart and point toes outward while keeping arms extended.

4	Have the subject lean forward at the waist and look up. This keeps the subject off balance.

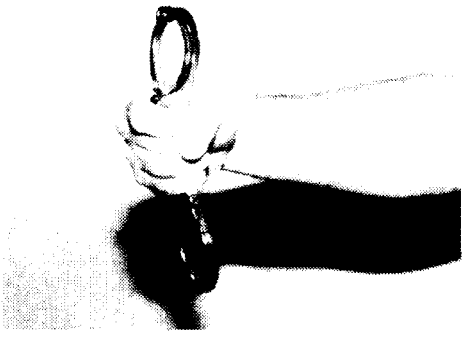
Continued on next page

3. Handcuff a non-resisting subject:

♦ In the standing position, Continued

If the subject resists (continued)

5	Have the subject bring arms back with the palms up (without going near the waist). • Have the subject raise hands as high as possible.



6	Place the handcuffs in your weapon hand with the single bale forward and the lower cuff facing outboard at a 45° angle. • Grip the cuffs tightly.

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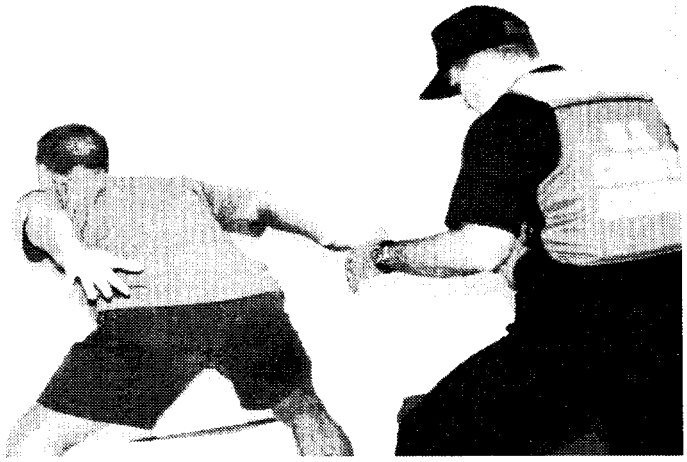
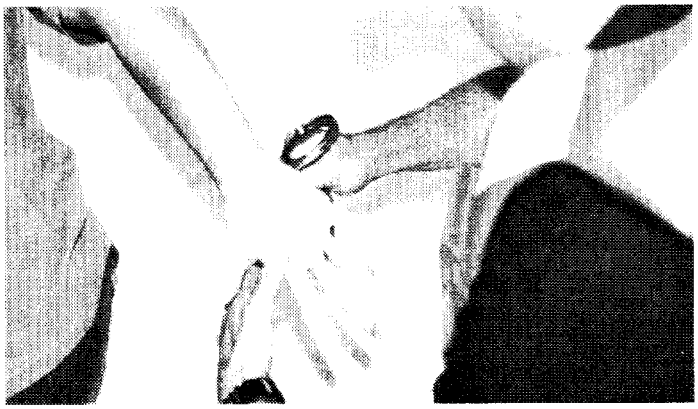
3. Handcuff a non-resisting subject:

♦ In the standing position, Continued

If the subject resists (continued)



7	Approach the subject, to your weapon side. While bending at the knees and only slightly at the waist, align the top cuff to subject's wrist. • With your reaction hand line it up on the inside of the subject's hand.



8	• Without touching the subject, position the top cuff on the outside of the subject's hand with your reaction hand on the inside.

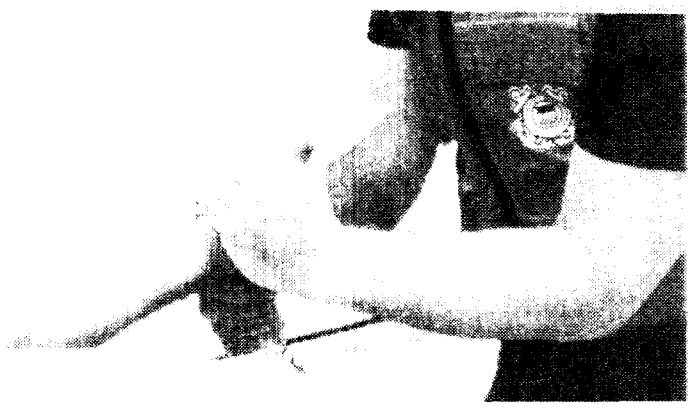
Continued on next page

3. Handcuff a non-resisting subject:

♦ In the standing position, Continued

If the subject resists (continued)

9	Push the cuff and reaction hand toward one another causing the single bail of the cuff to bail around the wrist. • Use counter pressure as the cuff makes contact with the subject's wrist at the same time.



10	When the cuff closes, grasp the subject's thumb with your reaction hand. If you feel resistance, go directly to iron wristlock takedown.

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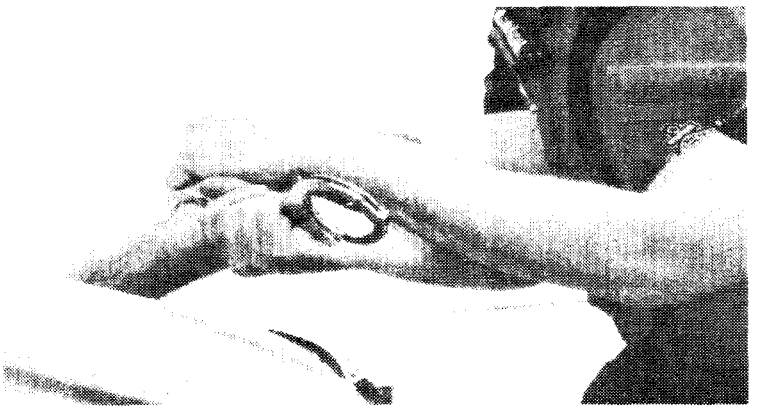
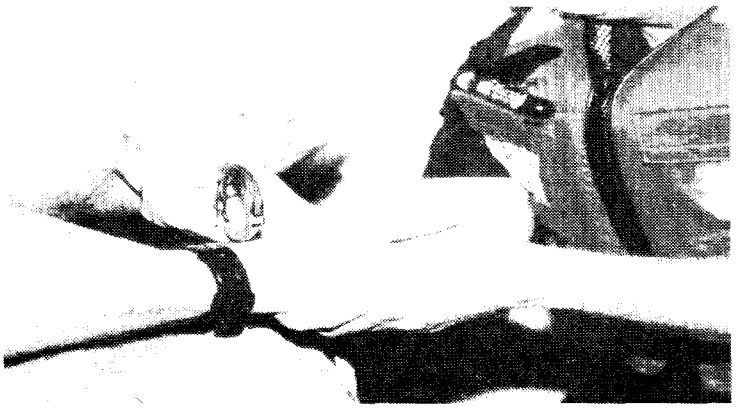
3. Handcuff a non-resisting subject:

- **In the standing position,** Continued

If the subject resists (continued)



11	With your reaction hand, rotate the subject's thumb outboard toward your weapon side, keeping your weapon hand palm up between the subject's hands.



12	Grasp the subject's free hand as if shaking, or grab the thumb. • This is a control technique, not a pain technique.

Continued on next page

3. Handcuff a non-resisting subject:

- **In the standing position,** Continued

If the subject resists (continued)

13	Using a downward motion with the weapon hand and an upward motion with the reaction hand, cuff the subject's second hand.
14	Adjust and double lock both cuffs, and maintain positive control of the subject.

15	Move into the escort position. • Give task direction "Sit here."

3. Handcuff a non-resisting subject:

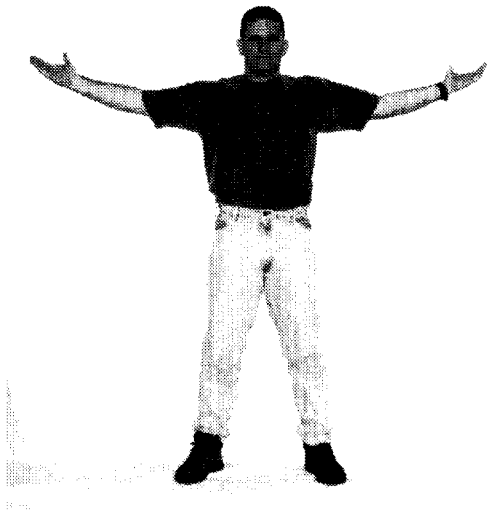
♦ In the kneeling position

When to use

This technique may be used when you feel you need more control over a subject. Directing the subject to kneel makes it more difficult for the subject to attack.

If the subject resists

Throughout this technique, maintain control of the subject's wrist, either with control of the cuffs or the subject's hand. Use joint manipulation of the wrist or a whip move to regain control of the subject. Use verbal commands with consequences to reinforce the expected behavior.



Steps	Action
1	Instruct the subject to extend his or her hands from the shoulder with the palms up.

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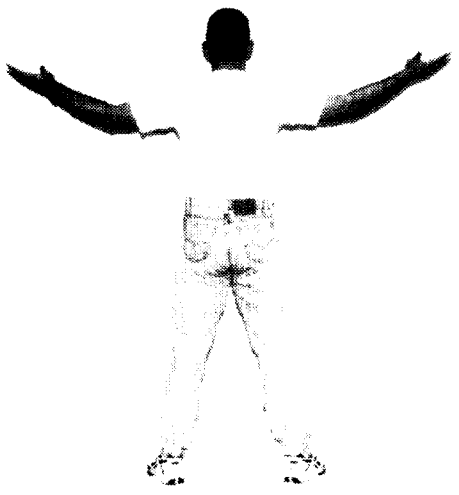
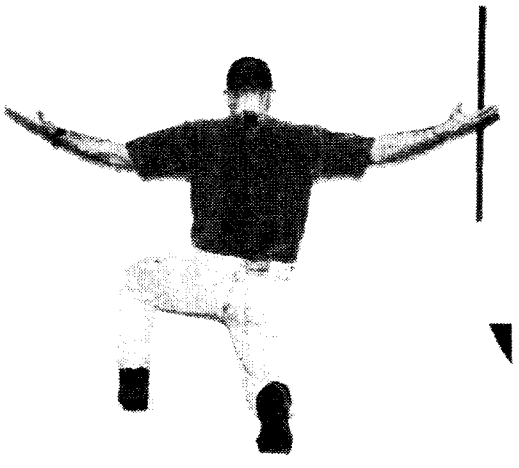
3. Handcuff a non-resisting subject:

- **In the kneeling position,** Continued

If the subject resists (continued)



2	Have subject slowly turn 180° degrees. • Look closely for any weapons. • Complete this initial step by having the subject stop while facing away from you.



3	Have the subject kneel while keeping arms extended.

Continued on next page

3. Handcuff a non-resisting subject:

- **In the kneeling position,** Continued

If the subject resists (continued)

4	Have the subject cross ankles and sit back on his or her feet.

5	Have the subject bring arms back with the palms up (without going near the waist), bend forward at the waist and raise hands as high as possible, while looking forward.

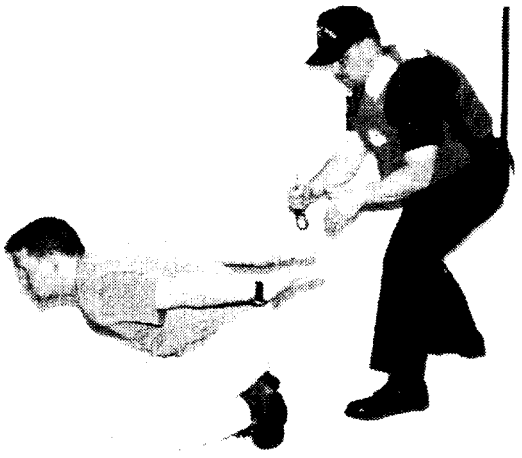
Continued on next page

3. Handcuff a non-resisting subject:

♦ In the kneeling position, Continued

If the subject resists (continued)

6	Place the handcuffs in your weapon hand with the single top cuff parallel to your thumb and the lower cuff facing the back of your hand. • Grip the cuffs tightly.



7	Shuffle step toward the subject, with the subject to your weapon side. When inside the reactionary gap, bring our hand to the ready position. While bending at the knees and only slightly at the waist, align the top cuff to subject's wrist. • With your reaction hand line it up on the opposite side of the subject's arm.

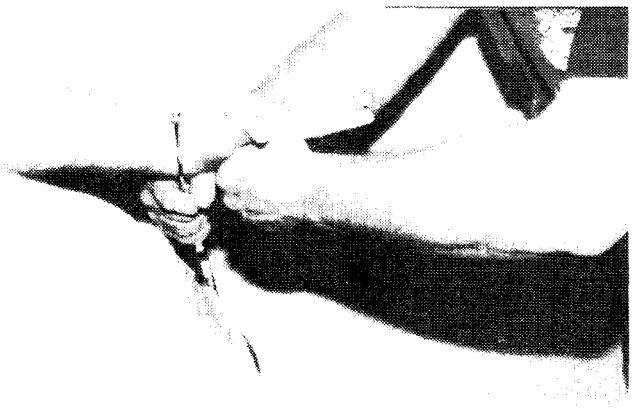
Continued on next page

3. Handcuff a non-resisting subject:

- **In the kneeling position,** Continued

If the subject resists (continued)

8	Without touching the subject, position the top cuff on the outside of the subject's hand with your reaction hand on the inside.



9	Push the cuff and reaction hand toward one another causing the single bail of the cuff to bail around the wrist. • Your reaction hand grabs the hand and the cuff hits the subject's wrist at the same time.

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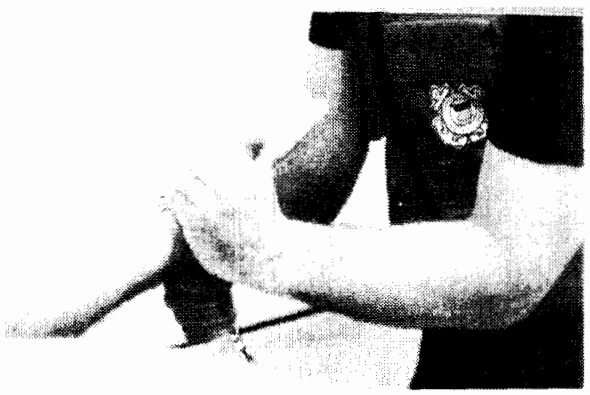
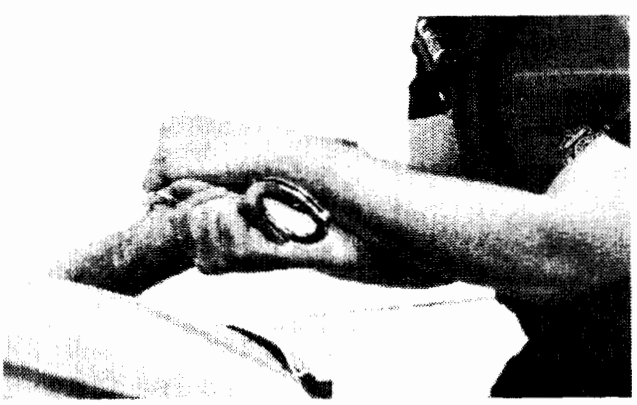
3. Handcuff a non-resisting subject:

- **In the kneeling position,** Continued

If the subject resists (continued)



10	When the cuff closes, grasp the subject's thumb with your reaction hand. If you feel resistance, go directly to iron wristlock takedown.



11	With your reaction hand, rotate the subject's hand until his or her thumb is pointing toward your weapon side, and your weapon hand is palm up between the subject's hands.

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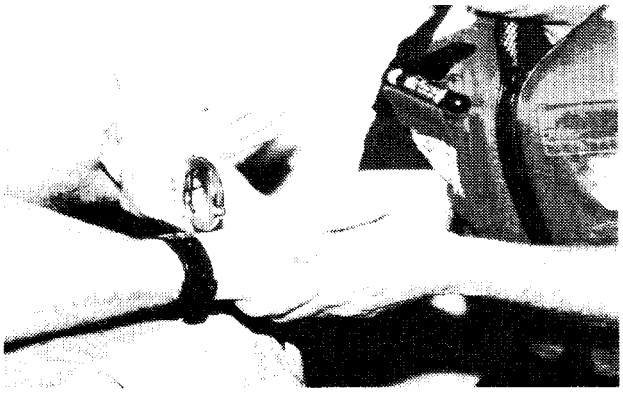
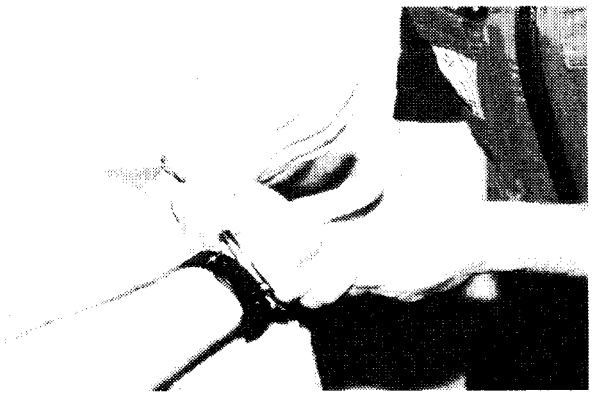
3. Handcuff a non-resisting subject:

♦ In the kneeling position, Continued

If the subject resists (continued)



12	Grasp the subject's free hand as if shaking, or grab the thumb. • This is a control technique, not a pain technique.



13	Using a downward motion with the weapon hand and an upward motion with the reaction hand, cuff the subject's second hand.

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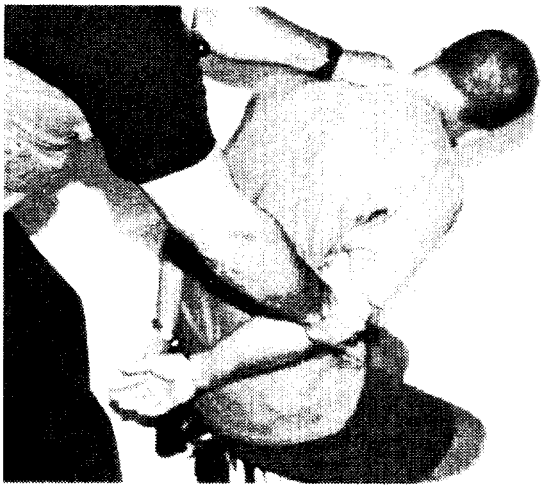
3. Handcuff a non-resisting subject:

- **In the kneeling position,** Continued

If the subject resists (continued)



14	Adjust and double lock both cuffs. Maintain positive control of the subject.

3. Handcuff a non-resisting subject:

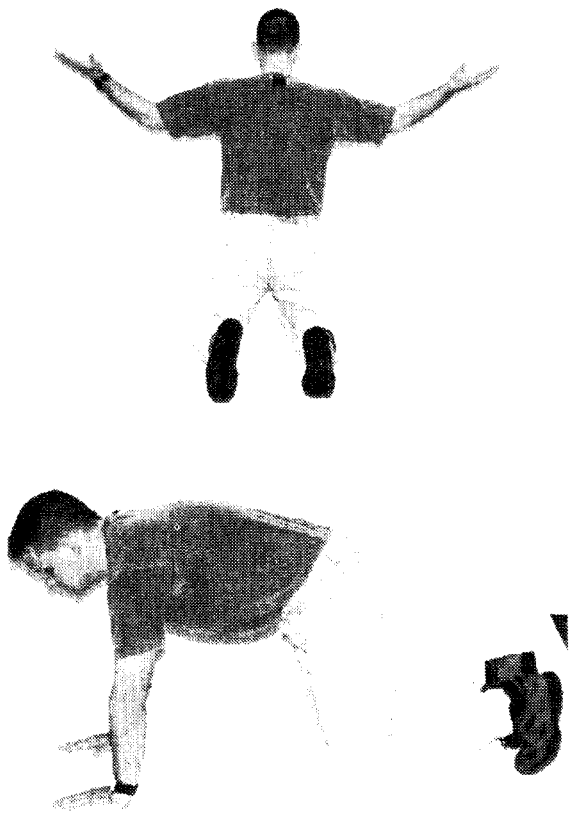
♦ In the prone position

When to use

This technique may be used when the subject is in the prone position from a previous takedown, or for the subject's personal safety due to sea conditions.

If the subject resists

Throughout this technique maintain control of the subject's wrist, either with control of the cuffs or the subject's hand. Use joint manipulation of the wrist or a whip move to regain control of the subject. Use verbal commands with consequences to reinforce the expected behavior.



Steps	Action.
1	From kneeling position, instruct the subject to walk forward on hands until he or she is flat on the deck.

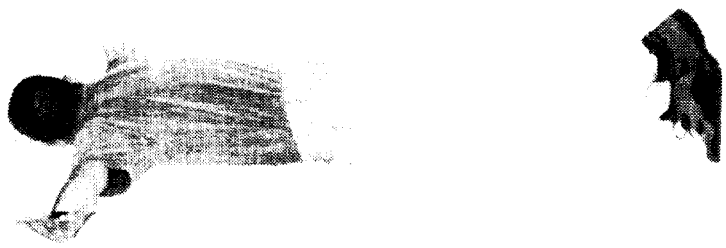
Continued on next page

3. Handcuff a non-resisting subject:

- **In the prone position,** Continued

If the subject resists (continued)

2	Have the subject put hands out to the side with palms up.



3	Have the subject look away from your approach side, cross ankles, and raise hands off the deck.

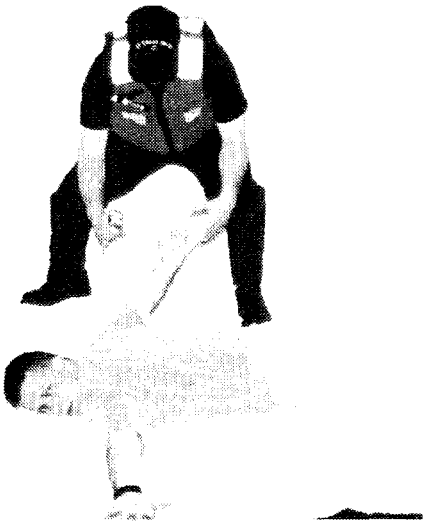
4	Place the handcuffs in your weapon hand with the single top cuff parallel to your thumb and the lower cuff facing the back of your hand. • Grip the cuffs tightly.

Continued on next page

3. Handcuff a non-resisting subject:

- **In the prone position,** Continued

If the subject resists (continued)



5	Approach on your weapons side. While bending slightly at the knees, align the top cuff to the subject's wrist with your reaction hand on the opposite side of the subject's hand.

6	Apply the cuff and immediately grasp the subject's thumb with your reaction hand.

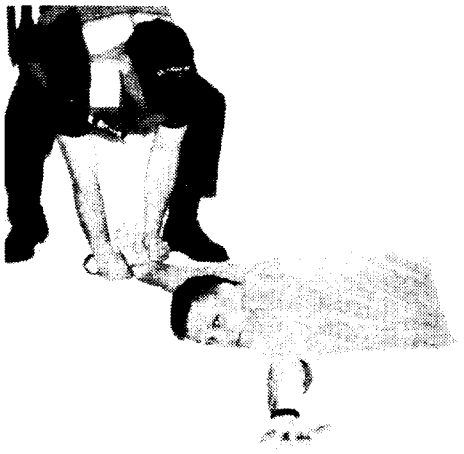
Continued on next page

3. Handcuff a non-resisting subject:

- **In the prone position,** Continued

If the subject resists (continued)

6	Apply the cuff and immediately grasp the subject's thumb with your reaction hand.



7	While holding the cuff with your weapon hand and the subject's thumb with your reaction hand, move the subject's arm 90° toward their head, above their shoulder. • Keep subject's arm straight and slightly off the deck.

Continued on next page

3. Handcuff a non-resisting subject:

- **In the prone position,** Continued

If the subject resists (continued)

8	Keeping the subject's arm straight, rotate the arm to the vertical position.

9	Move forward, allowing the subject's arm to rotate naturally toward the head. Place your weapon knee across subject's shoulder blade, and your reaction knee into the small of the subject's back. • Maintain control of the thumb and cuffs.

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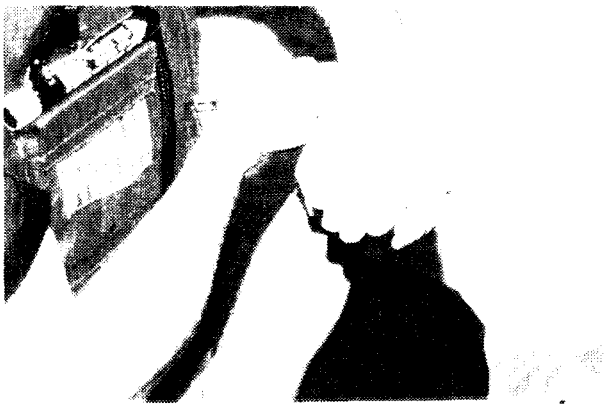
3. Handcuff a non-resisting subject:

♦ In the prone position, Continued

If the subject resists (continued)



10	With your reaction hand, release the subject's thumb and move your reaction hand to the back of the subject's hand. • Maintain control of the cuffs with your weapon hand. • Position your reaction hand for joint manipulation.

11	Release the cuffs with your weapon hand and reach around the subject's arm and regrasp the cuffs. • Position the cuffs in your grasp so the double bail is toward the subject's head.

Continued on next page

3. Handcuff a non-resisting subject:

♦ In the prone position, Continued

If the subject resists (continued)

12	Instruct the subject to bring the free hand to the small of the back. • Use joint manipulation with your reaction hand if necessary to gain compliance.

13	With your reaction hand, grab the subject's hand. • Maintain control of the cuffs with your weapon hand.

Continued on next page

3. Handcuff a non-resisting subject:

- **In the prone position,** Continued

If the subject resists (continued)

14	Grasp hand, and with downward motion apply the second cuff.
15	Adjust and double lock cuffs.

3. Handcuff a non-resisting subject:

♦ In the offside position

When to use

This technique may be used when the subject is in the prone position from a previous takedown, or for the subject's personal safety due to sea conditions, and when they are on your weapon side. The normal cuffing techniques are slightly different as you can not grab the subject's thumb for joint manipulation.

If the subject resists

Throughout this technique, maintain control of the subject's wrist, either with control of the cuffs or the subject's hand. Use joint manipulation of the wrist to regain control of the subject. Use verbal commands with consequences to reinforce the expected behavior.

Steps	Action
1	Begin with the subject in the prone position, hands out, palms up and legs crossed. Have the subject raise his or her hand 6-8" off the ground.

2	Approach from your reaction side with the handcuffs in your weapon hand with the single top cuff parallel to your thumb and the lower cuff facing the back of your hand. Position your reaction hand on the opposite side of the subject's hand.

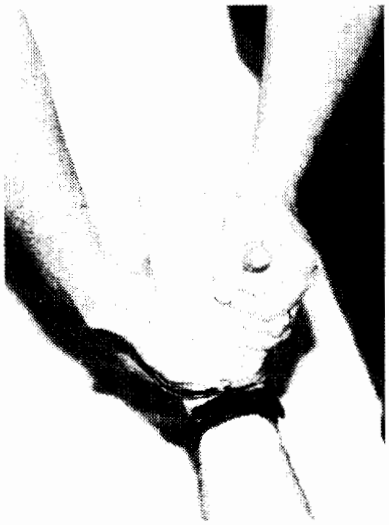
Continued on next page

3. Handcuff a non-resisting subject:

- **In the offside position,** Continued

If the subject resists (continued)

3	Align the top cuff to the thumb side of the subject's wrist with your reaction hand on the opposite side.



4	Apply the cuff and immediately grasp the subject's ring and little finger with your reaction hand.

Continued on next page

3. Handcuff a non-resisting subject:

♦ In the offside position, Continued

If the subject resists (continued)

5	Maintaining control of the subject's fingers and the cuff, step toward your reaction side while rotating the subject's arm upward 90° toward the head, above the shoulder. • Keep subject's arm straight.

Continued on next page

3. Handcuff a non-resisting subject:

♦ In the offside position, Continued

If the subject resists (continued)

6	Keeping the subject's arm straight, walk close to the subject and kneel with your reaction knee on the subject's shoulder and your weapon knee on the subject's back. Allow for rotation of the arm. • The subject's arm should be straight up between your knees.

Continued on next page

3. Handcuff a non-resisting subject:

♦ In the offside position, Continued

If the subject resists (continued)

7	While retaining control of the subject's hand at all times, switch hands by: • releasing the cuffs with your weapon hand; • placing your weapon hand on the back of the subject's hand to gain joint manipulation; and • releasing the subject's fingers with your reaction hand. With your reaction hand palm up, regrasp the cuffs.

Continued on next page

3. Handcuff a non-resisting subject:

♦ In the offside position, Continued

If the subject resists (continued)

8	Instruct the subject to bring the free hand to the small of the back. • Use joint manipulation with your reaction hand if necessary to gain compliance.

9	With your weapon hand, grab the subject's free hand. • Maintain control of the cuffs with your reaction hand.
10	Grasp hand and with downward motion apply the second cuff.

Continued next page

3. Handcuff a non-resisting subject:

♦ In the offside position, Continued

If the subject resists (continued)

11	Adjust and double lock cuffs. • Maintain subject control with the hand or cuffs.

4. Handcuff a resisting subject:

♦ Iron wristlock take down

When to use

This technique is designed to be used if a subject resists cuffing after the first cuff has been applied (this is the most likely point because it's the first time the subject knows exactly where you are).

Technique

The technique places the subject on the deck where you can apply joint manipulation and control techniques to gain compliance.

Steps	Action
1	Maintain a firm grip on the cuffs when resistance is felt.

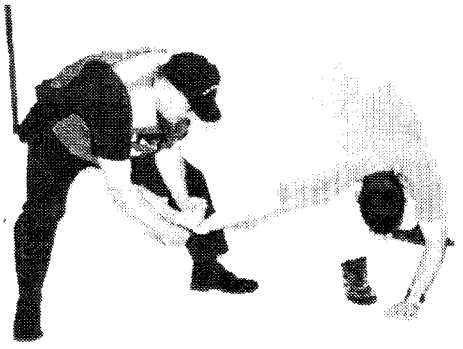
2	With your reaction hand, grab the thumb of the cuffed hand and push it toward the subject's elbow. Drive the subject's wrist below your knee.

Continued on next page

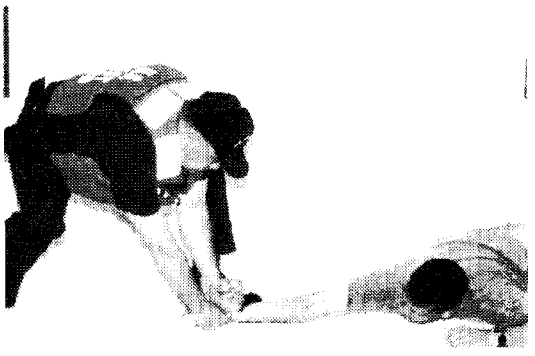
4. Handcuff a resisting subject:

♦ Iron wristlock take down, Continued

Technique
(continued)



3	Move toward your weapon side to the 2 ½ position and drag the subject to the deck. • Keep the subject's arm straight and below your knee. • This is not a muscle technique; you may need to take more than one step to get the subject into the prone position.



4	Maintain firm control of the subject's thumb and your handcuffs. • Use verbal commands "Stop Resisting." • If the subject continues to resist, drive the thumb toward the elbow and lift up on the handcuffs while repeating verbal commands.
5	Once the subject stops resisting, use the prone cuffing technique.

4. Handcuff a resisting subject:

♦ Iron wristlock take down/the whip

When to use

This is an alternate technique to be used if a larger subject resists cuffing after the first cuff has been applied or if you do not gain control with the iron wristlock takedown.

Technique

You want to avoid turning in tight circles as you try to drop the subject on the deck.

Steps	Action
1	When the subject resists, move backwards to your weapon side in the 2½ relative position.

2	Drive the subject's thumb towards the elbow, and lift up on the cuffs. If the subject does not become off balance, apply a whip. • A quick "jerk" or whip motion up and down will bring the subject under control to the deck.

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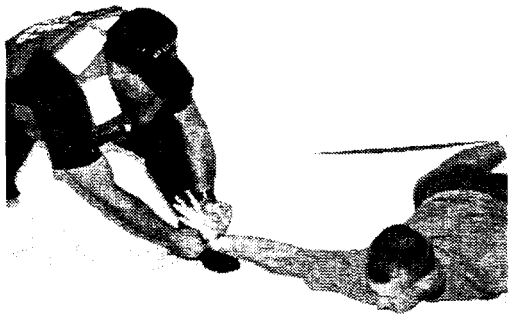
4. Handcuff a resisting subject:

♦ Iron wristlock take down/the whip, Continued

Technique
(continued)



3	Continue to move toward your weapon side 2½ position, lifting the cuffs, and applying thumb pressure until the subject is lying flat on the deck. • Give clear task direction, "Get down."

4	Once the subject is on the deck, move into the 2 ½ position until the subject's arm is straightened out and the body is prone.
5	Instruct the subject to place the free arm out with the palm up, ankles crossed and looking away from you. • Apply thumb and cuff pressure if they do not comply. • Repeat verbal commands with the pressure.
6	Follow procedures for cuffing in the prone position.

5. Remove handcuffs from a subject.

When to use

This release is considered safe and is designed for unstable platforms. You may release a subject who has been restrained for their own safety or for officer safety during a boarding.

Steps	Action
1	Take control of one of the subject's cuffed hands with one hand, and with the other hand grasp the elbow or shoulder of the subject. • This allows you to assist the subject to a sitting position.

2	Once in the sitting position, instruct the subject to bend forward at the waist, keeping the head up and looking forward, with their feet apart and knees bent slightly.
3	You want to control the subject's weapon hand for as long as possible, so release the reaction hand first. • Ask which hand they write with to determine the subject's weapon hand.

Continued on next page

5. Remove handcuffs from a subject, Continued.

When to use
(continued)

4	As you release the cuff on the reaction hand, tell the subject to place that hand in front of himself or herself. • Ensure that the single bail is closed after removal of cuff.
5	Remove cuff from subject's weapon hand and tell the subject to place that hand in front of himself or herself.

6	Upon completion, step back, keeping the subject in full view at all times.

Chapter 16
Conduct a Frisk Search

Overview

Introduction

This task provides information on when and how to conduct a frisk search.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Explain the purpose and scope of a frisk search.	16-B-1
2. Frisk search a subject.	16-B-3

Section A. Task Outline

Overview

Objective

The objectives of this task are to explain when you would conduct a frisk search, and demonstrate a frisk search on a male or female subject.

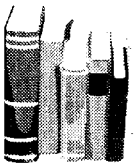
Policy

Unit training programs should encourage members to review these skills not less than monthly. Such reviews should be structured to detect and rectify weaknesses in the demonstration of these skills which are necessary to meet their annual defensive tactics qualification requirements.

All boarding team members should be fully familiar with conducting a frisk search.

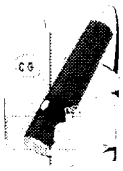
All boarding team members are required to complete Task 1-16 of the Boarding Officer/Boarding Team Member PQS for initial certification and annually thereafter.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids



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Section B. PQS Task 1-16 Conduct a Frisk Search

1. Explain the purpose and scope of a frisk search.

Purpose of a frisk search

A frisk search may be conducted for the protection of the boarding team. It is not a search for evidence of criminal conduct. A person may be frisked only when reasonable suspicion exists that the individual may have a weapon concealed on his or her person which could endanger a boarding team member or others.

Probable cause is not required for a frisk search. Any level of reasonable suspicion will justify a frisk search.

Scope of a frisk search

A frisk is done by firmly crushing and passing hands over a subject's clothed body. The subject may be asked to remove an overcoat or similar outer garment to facilitate the search.

A frisk may also extend to the "grab area" of an individual suspected to have a weapon. This area includes:

- Purses
- Outer garments (e.g., overcoat)
- Immediate surrounding area

Direct touching of genitals or female breasts is to be avoided. Contact with such areas which a reasonable person would find offensive, and might construe as fondling or caressing, is prohibited.

Of primary concern are "manufactured weapons" (e.g., knife or firearm—something specifically manufactured to be used as a weapon). However, certain common items could be used as a weapon (e.g., a pen, pencil, needles, etc.). If you can reasonably articulate how the object can be used as a weapon, it can be considered a weapon.

Continued on next page

1. Explain the purpose and scope of a frisk search, Continued.

Evidence found during a frisk

A frisk search is not a search for evidence. Only weapons or items which could be reasonably construed as weapons may be confiscated. If, in the course of a legal frisk, evidence of a violation of Federal law is discovered, that evidence is considered as a plain view discovery.

If items are found that are not weapons or evidence, they must be returned immediately. (Examples are such things as a wallet or cash.)

2. Frisk search a subject.

Weapon awareness during the frisk

Most assaults on law enforcement officers happen upon initial contact with a subject. Since you have to make contact with the subject to conduct a frisk, you want your weapon in the safest place possible so the subject can not grab it. Upon initial contact with the subject you want your weapon side to the subject's back. To ensure that this happens, the top leg of the subject should be pointing toward your weapon. If the subject crosses his or her legs the wrong way, tell him or her to cross legs the other way.

Verbalize

During this process you will be instructing the subject to assume various positions. Tell the subject what you are doing as you are doing it, and tell the subject what you have found during the frisk.

Frisk procedures

Use these procedures to conduct a frisk.

Steps	Action
1	Have the subject place arms out to the sides with the palms up. • You should be relative position 1.

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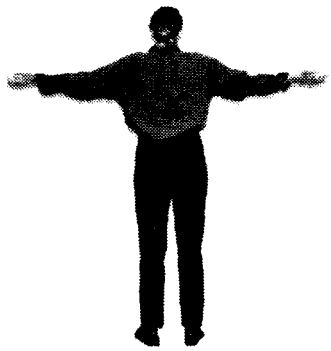
2. Frisk search a subject, Continued.

Frisk procedures
(continued)



2	Have the subject turn around (facing away) until told to stop.

3	Have the subject keep the arms where they are and slowly go down to the knees.

4	Have the subject place hands on top of the head, interlace the fingers, and cross the legs. This makes it more difficult for them to move suddenly.

Continued on next page

2. Frisk search a subject, Continued.

Frisk procedures
(continued)

5	Have the subject place the elbows together and look away. • Having the subject's elbows together takes the hollow out of the back, so any objects concealed there would be revealed. • Having the subject look away gives us time to react if the subject decides to resist, as well as keeping the subject from watching our tactical approach.

6	Approach the subject on your reaction side. Grasp the subject's fingers with your weapon hand and maintain hand control. Place your weapon foot under the subject's ankle to get foot control.

Continued on next page

2. Frisk search a subject, Continued.

Frisk procedures
(continued)

7	Begin at the head and do a systematic check using the "crush and feel" (not patting) method. Split the body into quadrants (upper right, upper left, lower right and lower left). Thoroughly crush and feel one quadrant at a time.
8	Crush and feel the top of the head and hair.
9	Move to the shoulder area and crush and feel the collar, shoulder and arm.
10	Crush and feel the outer garments above the breasts. • To frisk a breast area on females, crush and feel across the top of the breast area. (Use the bra line as a reference if the subject is wearing one.) • Think of an imaginary box around the breast area and keep your search outside of that box. • Crush and feel down the side of the breast area, under the arm pit. Then crush and feel below the breast area to where the bra line is.
11	Crush and feel the subject's waistband.
12	Crush and feel the waistline area going to a point no lower than one hand below the belt buckle.
13	Crush and feel the lower half of the body beginning with pockets.
14	Tell the subject you will now search the groin area from the front. Place your hand flat on the inside trouser seam and run it up to where the leg meets the torso.
15	Crush and feel the front of the leg.
16	Crush and feel the lower leg.
17	Step back while maintaining control with your reaction hand and direct the subject to cross his or her ankles the other way.

Continued on next page

2. Frisk search a subject, Continued.

Frisk procedures
(continued)

18	Step in with your reaction foot to regain foot control and repeat the process on the other side. Ensure that all quadrants are frisked.

Chapter 17
Conduct a Search Incident to Arrest

Overview

Introduction

This task provides information on when and how to conduct a search after an arrest, demonstration of search procedures, and explanation of the Coast Guard policy on strip and body cavity searches.

In this chapter

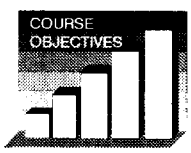
This chapter contains this information:

PQS Items	See Page
1. Explain the purpose and scope of a search incident to arrest.	17-B-1
2. Conduct a search incident to arrest:	
(a) On a kneeling subject	17-B-3
(b) On a prone subject	17-B-8
3. Explain the Coast Guard's policy concerning strip and body cavity searches.	17-B-10

Section A. PQS Task 1-17 Conduct a Search Incident to Arrest

Overview

Objective



The objectives of this task are to explain when to conduct a search, and demonstrate a search on a male or female subject and explain strip and body cavity search policies.

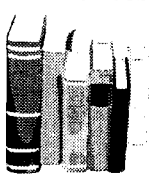
Policy

Unit training programs should encourage members to review these skills not less than monthly. Such reviews should be structured to detect and rectify weaknesses in these skills. Demonstration of these skills are necessary to meet annual defensive tactics qualification requirements.

All boarding team members should be fully familiar with conducting a search incident to an arrest and policies on strip and body cavity searches.

All boarding team members are required to complete Task 1-17 of the Boarding Officer/Boarding Team Member PQS for initial certification and annually thereafter.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

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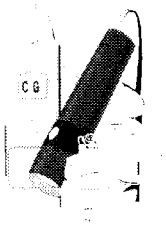
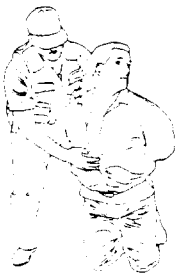
Overview, Continued

Equipment aids



- Handcuffs



Section B. PQS Task Conduct a Search Incident to Arrest

1. Explain the purpose and scope of a search incident to arrest.

Purpose

The search incident to arrest is a detailed search of an individual for weapons, means of escape, or evidence. This search, while not a strip search, is more intrusive than a "frisk search" and is normally conducted at the point of arrest, prior to or immediately after the person has been placed on board a USCG unit; it should also be repeated when the subject is transferred to another law enforcement unit.

Scope

Search incident to arrest (or field search) is conducted on every arrested person as soon after the arrest as possible and upon change of custody.

In the field search, the officer may go inside the prisoner's clothing to remove objects only if:

- The officer reasonably suspects the object to be a:
  - weapon,
  - contraband,
  - evidence, and
- the prisoner may have to be released from direct control before being searched by either medical personnel or a person of the same sex.

The search is a detailed crush and feel search of an arrested individual's clothing for weapons, evidence, or means of escape.

A field search becomes a strip search when removal of a layer of clothing exposes more than the waistbands and straps of the undergarments that cover male and female genitalia and female breasts.

Continued on next page

1. Explain the purpose and scope of a search incident to arrest, Continued.

Scope (continued)

The field search may also be expanded to the areas where an individual is arrested and is to be placed after this arrest. This includes the "grab area", such as a purse, of an individual reasonably suspected to have a weapon.

Of primary concern are "manufactured weapons" (e.g., knife or firearm—something specifically manufactured to be used as a weapon). However, there are common items that could be used as a weapon (e.g., a pen, pencil, needles, etc.). If you can reasonably articulate how the object can be used as a weapon, it can be considered a weapon

2. Conduct a search incident to arrest

(a) On a kneeling subject

Techniques

Subject control shall be maintained throughout the search incident to arrest. The key to a good search is to be systematic and thorough.

Weapon awareness during the search incident to arrest

Most assaults on law enforcement officers happen upon initial contact with a subject. Since you have to make contact with the subject to conduct a search, you want your weapon in the safest place possible so the subject can not grab it. Upon initial contact with the subject you want your weapon side to the subject's back. To ensure that this happens, the top leg of the subject should be pointing toward your weapon. If the subject crosses his or her legs the wrong way, tell him or her to cross his or her legs the other way:

Verbalize

During this process you will be instructing the subject to assume various positions. Tell the subject what you are doing and tell the subject what you have found during the search.

Search procedures

Use these procedures to conduct a search incident to arrest.

Steps	Action
1	Place arrestee in handcuffs.
2	Talk arrestee into position, kneeling or prone.

Continued on next page

2. Conduct a search incident to arrest

(a) On a kneeling subject, Continued

Search procedures
(continued)

3	Begin crush and feel for weapons or evidence by using the quadrant method.
4	Begin crush and feel starting at the top of the head and hair moving down to subject's waistband.

5	Crush and feel the waistline area.

Continued on next page

2. Conduct a search incident to arrest

(a) On a kneeling subject, Continued

Search procedures
(continued)

6	Untuck the subject's shirt and crush and feel the hemline. • Pull the untucked shirt out of the way to access the lower rear quadrant.

7	Crush and feel the lower half of the body beginning with pockets. • Do not stick your hands in the pocket. Pull the top of the pocket out if possible, or • Push articles up and out from the outside of patch pockets.

Continued on next page

2. Conduct a search incident to arrest

(a) On a kneeling subject, Continued

Search procedures
(continued)

8	Remove subject's shoe and sock. • Pass the items to a partner to inspect. • Have the subject wiggle his or her toes.

9	Step back while maintaining control with your reaction hand and direct the subject to cross his or her ankles the other way.

Continued on next page

2. Conduct a search incident to arrest

(a) On a kneeling subject, Continued

Search procedures
(continued)

10	Step in with your reaction foot to regain foot control and repeat the process on the other side. Ensure that all quadrants are searched.
11	If articles are detained, the subject should be informed and provided a receipt covering each item being seized or detained.

2. Conduct a search incident to arrest

(b) On a prone subject

Techniques

A prone search affords an officer additional control of the subject. The same quadrant search procedure is used in all searches of persons; divide the subject's body into quarters and thoroughly search each area. Subject control shall be maintained throughout the search incident to arrest. The key to a good search is to be systematic and thorough.

Steps	Action
1	Maintain subject control of the subject when you are in contact. • Be alert for any indications the subject is trying to roll.
2	Provide specific task direction to the subject.
3	Instruct the subject to roll onto one side with the back toward you.
4	Have the subject scissor the legs. • Bring the top leg backward toward you and • bring the bottom leg forward.
5	Step in and lock the top leg back with your foot allowing the knee of the subject to bend. Maintain control of the subject with at least one hand at all times.
6	Begin search by crushing and feeling using the quadrant method. Include: • hair • mouth • collar • clothing (including seams) and turning out the pockets if possible • belt • waistband • arms and legs • shoes and socks

continued on next page

2. Conduct a search incident to arrest, Continued.

(b) On a prone subject, Continued

Techniques (continued)

7	When the first side is completed, cross over to the other side by circling the subject's head. • Maintain subject control. • Release the leg. • Instruct the subject to lie on stomach. • Cross over by circling the subject's head. • Repeat the entire process for the other side.
8	If articles are detained, the subject should be informed and provided a receipt covering each item being seized or detained.

3. Explain the Coast Guard's policy concerning strip and body cavity searches.

Strip search	A strip search involves the intrusive removal of clothing to reveal undergarments and may also be as extensive as visual examination of the nude body. Such searches are justified for the protection of personnel, and to prevent the destruction (or discovery) of contraband or evidence.
When to conduct a strip search	A strip search can be conducted when there is reasonable suspicion that a weapon, evidence or means of escape is secreted on the person. This suspicion may exist following a field search. The mere arrest of a subject does not justify a strip search; there must be reasonable suspicion that the items sought are on the arrestee's person.
Where to conduct a strip search	A strip search will be conducted in a location free from outside observation, and should, if possible, be conducted with a witness of the same sex as the suspect present. If a witness of the same sex is not available, the witness should be immediately outside the search location within hearing distance to closely monitor the progress of the search. Video taping of strip searches is not authorized.
How to conduct a strip search	The subject should remain handcuffed while clothing is being removed. Handcuffs may be removed as necessary, and should be put back on as soon as practical. The removal of clothing exposing buttocks, genitalia, and/or female breast is authorized when necessary to resolve specific suspicions related to those areas. Persons being searched should manipulate their own bodies as required to permit adequate visual examination. Clothing should be thoroughly searched in full view of the subject.
Body cavity search	A body cavity search involves the visual or physical intrusion into a body cavity, other than the mouth, ears or nose.

Continued on next page

3. Explain the Coast Guard's policy concerning strip and body cavity searches, Continued.

When to conduct a body cavity search	Body cavity examinations other than by a physician are not authorized except by a visual examination. An anal or genital body cavity may be viewed when, after a strip search, reasonable suspicion exists that a weapon, evidence, or means of escape is secreted in the specified body cavity to be examined.
Where to conduct a body cavity	A body cavity search will be conducted in a location free from outside observation, and should, if possible, be conducted with a witness of the same sex as the suspect present.
How to conduct a body cavity search	The removal of clothing exposing buttocks, genitalia, and or female breast is authorized when necessary to resolve specific suspicions related to those areas. • Persons being searched should manipulate their own bodies as required to permit adequate visual examination. • If the examination reveals a suspicious object, the person should be requested to remove the object. • If he or she refuses, removal by the examiner is not authorized. • Place a guard on the individual until a licensed physician is available.

Chapter 18
Demonstrate Tactical Procedures

Overview

Introduction

During the course of a boarding it may be necessary to use tactical procedures during an Initial Safety Inspection (ISI) or perhaps to locate an unaccounted-for person. This section describes procedures that should be used to protect the boarding team members while entering unfamiliar compartments during the course of a boarding.

All tactical techniques require practice with team members to allow for smooth and confident execution. Tactics should be "second nature" to ensure success and survival. Before you start the inspection, discuss individual boarding team members' roles to reduce the communication needed during the sweep. Any planned technique is much better than no plan at all; never rush into a hostile environment.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered:	18-B-1
(a) Entering a compartment	18-B-5
(b) Moving through passageways	18-B-10
(c) Securing doors and hatches	18-B-11
(d) Tactical lighting	18-B-12
(e) Moving up or down ladders	18-B-14
(f) Tactical communications	18-B-15
(g) Quick peek	18-B-16

Continued on next page

Overview, Continued

In this chapter (continued)

(h) Use of an inspection mirror (i) Slicing the pie	18-B-17 18-B-18
2. Explain how tactical procedures can be used in both high and low threat environments.	18-B-20
3. Demonstrate directing a suspect out of a compartment.	18-B-21

Section A. Task Outline

Overview

Objective

The objective of this task is to demonstrate and correctly explain safe procedures for conducting an ISI and directing suspects out of compartments.

Policy

All USCG personnel involved in any aspect of ELT operations shall be fully qualified with tactical procedures.

Initial safety inspections should be conducted as part of every boarding. Although the master should normally accompany the boarding officer during an ISI, there may be instances in which an ISI is conducted without the master. Once a decision is made to conduct an ISI or extended ISI, proceed safely with the inspection.

Boarding personnel should travel, if practical, in pairs and should keep the rest of the boarding team advised of their intended movements.

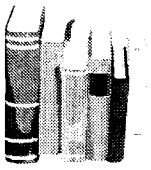
Boarding personnel may not enter any confined spaces that are suspected of hazardous material contamination or oxygen depletion until a qualified person has tested the space and certified it safe to enter.

All boarding team members are required to complete Task 1-18 of the Boarding Officer/Boarding Team Member PQS for initial certification and annually thereafter.

Continued on next page

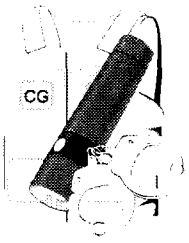
Overview, Continued

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids



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Section B. PQS Task 1-18 Demonstrate Tactical Procedures

1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered.

Tactical procedures

Tactical procedures are designed to protect each of the boarding team members during movements in shipboard spaces. These procedures involve adequate:

- Observation,
- Hazard awareness,
- Spacing,
- Escape planning,
- Cover,
- Positioning,
- Communications,
- Weapons awareness, and
- Debrief of the boarding team.

Each of these techniques are used when demonstrating the tactical procedures. The individual elements are discussed below:

Equipment

During tactical procedures you may need the following equipment:

Equipment	Use
Line	Opening or securing doors and hatches
Mirrors	Looking inside uninspected areas, voids, etc.
Flashlight	Illumination
Tape	Marking inspected areas
Chem lights	Distracters or illumination
Radio	Communication with boarding team

Continued on next page

1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered, Continued.

Observation

Vessels have close areas and spaces filled with equipment and operating machinery. Open hatches, low overheads, and running rigging are some other noticeable hazards. Your senses and awareness of your surroundings must be kept alert. Avoid tunnel vision; maintain the "big picture" of an area. Maintain the ability to notice and report movement, hazards or anything that could threaten any member of the boarding team.

Hazard awareness

During your ISI note any unsafe conditions; for example:

- Fuel in bilges
- Missing deckplates
- Exposed electrical wires
- Unsafe ladders
- Visible weapons

Confined space entry

Boarding personnel are instructed not to enter any confined spaces that are suspected of hazardous material contamination or oxygen depletion until a qualified person has tested the space and certified it safe to enter.

People who are qualified to certify a space for entry:

- DCA,
- Gas Free Engineer,
- Marine Chemist, and an
- Industrial Hygienist

Distracters

A distracter is an action that causes a diversion to take attention away from the boarding team member. The following are only a few of the many distracters that can be used:

- Throwing a chem light into a dark space may cause a suspect to make noise or move.
- Chem lights may also be thrown into a room to light a particular area.

Continued on next page

1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered, Continued.

Chem lights also illuminate you, when you enter an area.

When to draw your weapons

If there is reasonable suspicion that level six force may be required, (i.e., unaccounted-for persons) you may feel the need to conduct an ISI with weapons drawn.

If you feel the need to have your hand on your weapon, there is probably a need to have it drawn.

Importance of proper weapon techniques

Weapon techniques are important to:

- Prevent disclosing your position.
- Prevent accidental firing of your weapon.
- Prevent the loss of your weapon.

Weapons down

The weapons down technique is used to provide a quick response to a suspect's hostile actions while not jeopardizing your partner. This technique should be used by the member in the rear, or during crossover techniques.

Steps	Action
1	Draw weapon; keep both hands on the weapon.
2	Lock both arms in the downward position.
3	Keep finger out on the trigger guard.

Third eye

The "third eye technique" involves simply placing your weapon directly in the direction of your view. This technique does not require you to aim in an emergency to provide a quick response to a suspect's hostile actions while not jeopardizing your partner.

Continued on next page

1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered, Continued.

Third eye (continued)

Steps	Action
1	Draw weapon; keep both hands on the weapon.
2	Bend arms at the elbows.
3	Lock elbows close to your sides.
4	Maintain weapon facing forward from your abdomen.
5	Keep finger on the trigger guard.

Debrief

After the ISI is complete, provide a brief to the other boarding team members of particular hazards noted, the secured locations of weapons, and other information relating to the boarding and inspection.

1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered:

(a) Entering a compartment

Tactical procedures for entering a compartment

Never rush into a compartment. Make a plan prior to entering.

- Select method
- Assign responsibilities
- Discuss contingencies

A minimum of two people are required to maintain an appropriate contact and cover relationship; avoid working alone whenever possible.

Entering a compartment occupied by an active aggressor will greatly increase your risk of injury. If there is any other reasonable option, do not go into the compartment.

Doorway techniques

Doorways should be approached cautiously and from the side. Always avoid standing in doorways (fatal funnel).

If the door is closed, with hinges showing, inspection team members should assume positions on either side of the door. Person on the hinge side opens the door.

If the door is closed and hinges aren't showing, inspection team members should assume positions on either side of the door. Person on the door knob side thrusts the door open.

Steps	Action
1	Get In - Do not loiter in the fatal funnel; move through the doorway as fast as possible.
2	Get Low, Protect Your Back - Find cover or concealment and get in a position to use it to its greatest advantage.
3	Establish and control Areas of Responsibility - and identify potential problem/threat areas. • The person on the left takes the left side of the room, the one on the right takes the right side. • Visually sweep areas of responsibility from the outside of the room to the middle.
4	Maintain light and sound discipline at all times.

Continued on next page

1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered:

(a) Entering a compartment, Continued

Weapons techniques	Use "third eye" and "weapons down" weapons techniques as appropriate.
Crisscross entry technique	The "crisscross" is the entry of choice for a dynamic entry. As with any entry techniques, plan your entry beforehand. Check with the master to see if there are any slip, trip or fall hazards in the space.
Timing	Develop and practice a count system: begin counting, first officer enters on the count of three, the second enters a beat later on the count of four.
Benefits	• It is effective when the doorway is too narrow to enter simultaneously. • The crisscross allows you to see where you are going, before you get there (unlike the buttonhook). • The near-simultaneous entry of two officers will tend to separate a suspect's focus and create a lag time while he or she decides which potential target to concentrate on first.
Disadvantages	• Few doors onboard ship have the size or design to use the crisscross technique. • Machinery, furniture or other obstructions inside the doorway can limit the application of this technique. • If the suspect decides to charge towards the doorway to escape or attack, you and your partner may be in a cross-fire position as the suspect nears the doorway.

Continued on next page

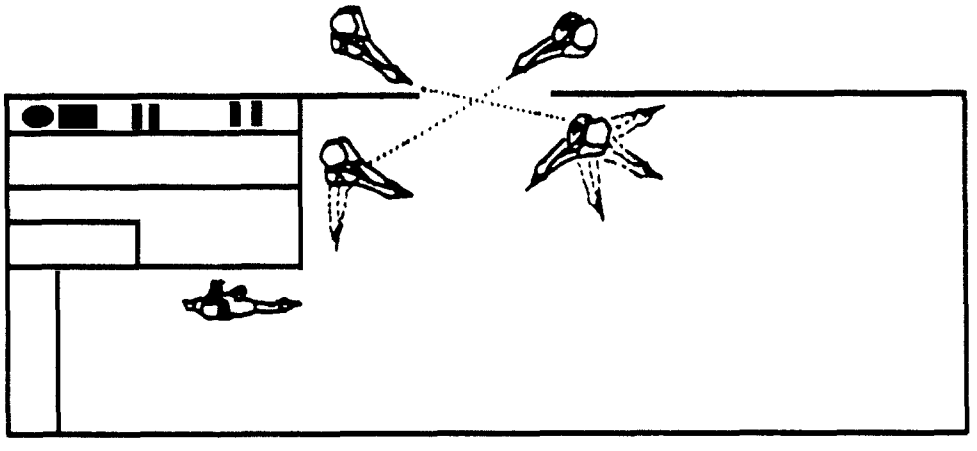
1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered:

(a) Entering a compartment, Continued

Crisscross entry technique

To conduct a crisscross entry technique:

Step	Action
1	Take positions on opposite sides of the door. • Plan entry timing. • Maintain light and sound discipline. • Use hand signals/mouth words.
2	On signal, the officer opposite the hinges opens the door. • Use door as shield during initial 70 degrees of arc. • Quickly assume low position to the side of the door.
3	Once clear of the door, second officer enters across door to the opposite side of the room.
4	Visually sweep the compartment outside to middle.
5	Move to a position of cover or concealment.



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1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered:

(a) Entering a compartment, Continued

Button hook entry technique

The "button hook" entry will start with both inspection team members on the same side of the compartment entrance. The person closest to the entrance moves first, with the second following to the same side of the compartment. As with any entry technique, plan your entry beforehand.

- Check with the master to see if there are any slip, trip or fall hazards in the space.
- Develop and practice a count system: begin counting, first officer enters on the count of three, the second enters a beat later on the count of four.

Benefits

- This technique is effective when the doorway is too narrow to enter simultaneously.
- The near-simultaneous entry of two officers will tend to separate a suspect's focus and create a lag time while he or she decides which potential target to concentrate on first.

Disadvantages

- The technique is relatively slow.
- There is the possibility that the officers are bunched near the door after entry.
- Few doors onboard ship have the size or design to use a simultaneous entry technique, so one officer will be exposed without cover.
- Machinery, furniture, or other obstructions inside the doorway can limit the application of this technique.

Continued on next page

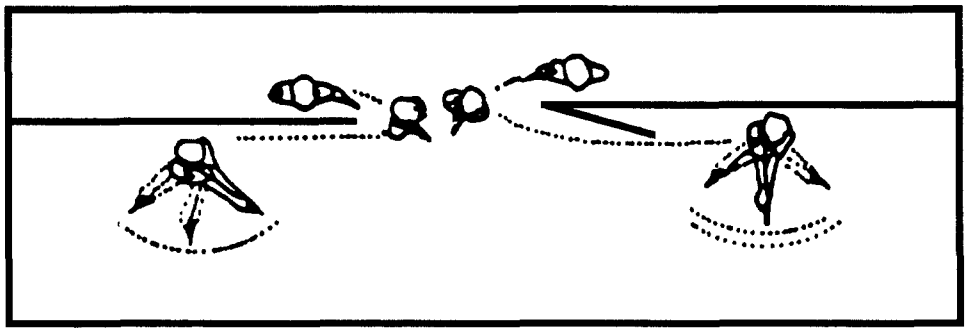
1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered:

(a) Entering a compartment, Continued

Button hook entry technique

To conduct a button hook entry technique:

Steps	Action
1	Take positions outside the door. • Plan entry timing. • Maintain light and sound discipline. • Use hand signals/mouth words.
2	On signal, the officer closest to the door enters, keeping back to door, and quickly moves through the fatal funnel. • Quickly assume low position of cover or concealment to the side of the door across from the original position. • Scan from outside to center of the compartment.
3	Once the first officer is clear of door, the second officer enters in the same manner. • Do not bunch up.



1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered:

(b) Moving through passageways

The approach

Approaching any passageway during your search or inspection, you'll have one of two objectives. Either you want to:

1. Move through the passageway to reach a more distant area that you intend to enter and search, or
2. Position yourself in the hallway to enter a room or other area that opens off it.

In either case, the passageway itself needs to be searched. Your entry into it must be cautious. Passageways are ready-made for ambush.

Follow the leader

This technique uses these steps:

Steps	Action
1	First officer - lead, searching and observing. • Use third eye weapon technique.
2	Second officer - move up and stop behind first officer. • Use weapon down technique.
3	Second officer - provide rear-guard responsibilities.
4	Keep separation between officers to: • Maintain line of fire. • Prevent collisions during quick movements. • Maintain different fields of view. • Maintain escape routes.
5	Maintain contact with your partner.

1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered:

(c) Securing doors and hatches

Tactical procedures

The following are some ways that may be used to secure a doorway or hatch:

Methods	Description
1	If door is able to be locked from the outside, lock door.
2	Place a guard on the door or hatch.
3	If the door opens outward, brace something under the knob to secure the door shut.
4	Tie the door/hatch shut.
5	Place a wedge under the door.

Weapons procedures

Use appropriate weapons techniques. Re-holster your weapon when you require two hands. Ensure that your partner maintains effective cover when you are occupied securing a door or hatch.

1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered:

(d) Tactical lighting

Lighting techniques

The flashlight will probably be used more times than any other piece of equipment. Make sure the batteries are replaced regularly.

- Lighting can be both an aid and a hindrance in tactical situations.
- Back-lighting can give the law enforcement officer's position away, or give an unaccounted-for person's position away.
- A poorly lit space provides concealment for the enforcement officer, and for the unaccounted-for person.
- Whenever possible, ensure that the compartment is well lit and ventilated:
  - Turn on lights
  - Open hatches

Partner lighting techniques

The "partner lighting" method is used to allow one person to look into a dark space while his or her partner operates the light from a position well above his or her head.

Lighting techniques to avoid

- Lighting or silhouetting your partner by shining a light in their direction or from behind them.
- Keeping flashlight lit when not absolutely necessary.

Lighting techniques with a weapon

This method is effective for a single officer approach when your weapon is drawn and a space must be illuminated.

Steps	Action
1	Hold flashlight in an overhand grip.
2	Place the back of your flashlight hand on the back of your gun hand. • The weapon is above the light. • The two hands press together to steady your pistol.

Continued on next page

1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered:

(d) Tactical lighting, Continued

Lighting techniques with a weapon (continued)

Steps	Action
3	Control the light button with the little finger, index finger, or thumb depending on the hand and flashlight shape.
4	Always use a quick flash while using this technique.

1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered:

(e) Moving up and down ladders

Techniques

The procedures for going up and down ladders are identical.

Steps	Action
1	Before going up a ladder, do a quick peek or use a mirror to ensure there are no personnel visible.
2	One team member quickly climbs ladder and assumes a cover position.
3	Second person then climbs ladder in the same manner.
4	Use third eye or weapon down techniques if weapons are used.

1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered:

(f) Tactical Communications

Silence

Silence is extremely important in a tactical situation. Silence allows you to move undetected. Be aware of the noise you make:

- Do not carry keys or change in your pocket.
- Do not wear a watch with an hourly alarm.
- Limit radio noise with the use of the volume and squelch control.

Direct other boarding team members to limit communications during the ISI.

Use non-verbal signals

There are a number of hand and body signals which can be used to communicate during tactical situations.

- Mouth words (form words without sound).
- Use sign language.

Non-Verbal Signal	Meaning
Curled index finger	Button hook
Crossed index finger	Crisscross
Index finger tapping lower eyelid	Quick peek
Patting the top of head	"I'm cover"

When non-verbal signals can't be used

Your partner may not always be in a position to see your non-verbal signals. If you must use sound to communicate, use soft sound.

- Whisper rather than speaking in a normal tone.
- Rub your pant leg or shirt rather than snap your fingers.

NOTE

On board vessels, whispering is generally acceptable/preferable as vessel noises mask voices and hand signals can not be used in the dark anyway.

1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered:

(g) Quick Peek

Quick peek

A "quick peek" is a quick look into a space made by rapidly extending your head or a portion of your head just far enough to see into the space, then ducking out of view.

- You should always maintain a covered or concealed position, preferably behind a bulkhead outside the doorway.

Steps	Action
1	Look into the space quickly, exposing only your head. • You want quick movement for the minimum exposure for the minimum amount of time.
2	Begin at either a higher or lower than normal level.
3	For a second look, alternate partner and high/low level. • Alternate high and low levels for additional looks.
4	Inform partner of observations made.
5	Use weapons down technique.

1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered:

(h) Use of an inspection mirror

General	Using an inspection mirror allows you to look into an uninspected space without exposing yourself to danger. It is the safest method available. If you do not have a mirror with an extensible (or fixed) wand, attach the mirror to something that will allow you to use the mirror without exposing your body.
Mirror techniques	Move the mirror slowly in a systematic pattern to view as much of the space (top to bottom, fore to aft, left to right) as possible. Check the most difficult areas to survey first (i.e., the area directly opposite your position inside the space). • Maintain safe weapon aspect during the use of the mirror, or reholster. • Cover officer should maintain guard and not focus on the mirror. • This technique requires a great deal of practice.

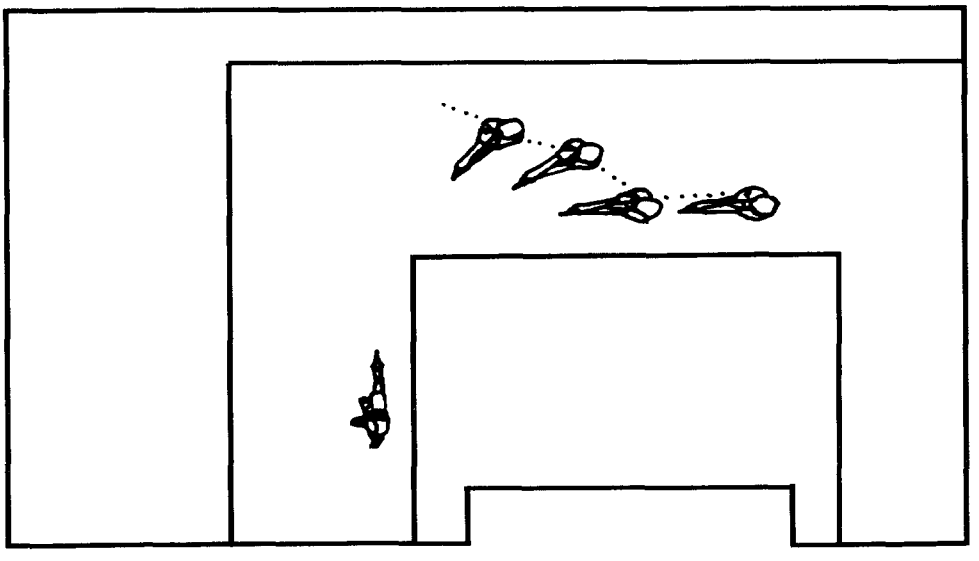
1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered:

(i) Slicing the pie

Techniques

"Slicing the pie" is an appropriate security move when you feel a threat is imminent in a blind area. The technique is effective prior to entering passageways, moving around a corner, or from behind cover or concealment.

Steps	Action
1	Move away from the doorway or corner. • Do not hug up close against the wall because you lose the field of view.
2	Face the doorway or corner with your body straight, your head offset in the direction of travel, and your feet and legs together. • Your weapon should be at the ready.
3	Gradually increase your arc of view by moving quietly to the side a little at a time. • You should be able to see a suspect's feet or shoulder before they can see you. • Remember to keep the big picture.



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1. Demonstrate the following tactical procedures with weapon drawn and weapon holstered:

(i) Slicing the pie, Continued.

Slicing the pie with a weapon

If you feel you need to have your sidearm drawn while conducting an inspection:

- Your sidearm should be tucked in.
- Your head/weapon should be leaning out in the direction of movement. This is what allows you to see the foot or shoulder first. Otherwise, you end up seeing each other at the same time, which is not acceptable.

2. Explain how tactical procedures can be used in both high and low threat environments.

High threat

Tactical procedures are extremely important in a high threat environment to protect the boarding team from unexpected situations. A high threat situation requires reasonable suspicion that there is a particular hazard which may threaten the boarding team. These threats can come from any of the following scenarios:

- Unaccounted-for crewman.
- Unlocated weapons on board.
- Uncooperative master and crew during pre-boarding questioning.
- Positive intelligence of illegal activity.
- Initial failure to stop for the boarding, requiring the use of stopping tactics, warning shots, etc.

Low threat

Proper tactical procedures may also be effective in a low threat environment, particularly in the safe entry of compartments, moving through passageways, etc. Looking for and observing hazards prior to entering a space results in a safer boarding.

3. Demonstrate directing a suspect out of a compartment.

Risks

Entering a compartment occupied by an active aggressor will greatly increase your risk of injury. If there is any other reasonable option, do not go into the compartment.

Unaccounted personnel

When an unaccounted-for person is initially encountered:

- Identify yourself (i.e., USCG).
- Demand to see the hands.
- Ask why the person is there.

Procedure

Follow these steps to direct an unaccounted-for person from a compartment:

Steps	Action
1	Take cover; do not approach person.
2	Identify yourself as USCG.
3	Demand to see the hands.
4	Order the person to face away. "Turn to the right until I tell you to stop."
5	Order the person to place hands on head.
6	Order person to walk backwards to you.
7	Maintain cover and reactionary gap.
8	Bring the person into safe (i.e., cleared) area and frisk as necessary.

Moving a suspect found during an ISI

One of the following methods should be used to move a person found during an ISI:

Steps	Action
1	Both ISI members escort person out. • A complete ISI must be conducted again.

Continued on next page

3. Demonstrate directing a suspect out of a compartment, Continued.

Moving a suspect found during an ISI (continued)

Steps	Action
2	Two other members of the boarding team come to escort person out. • Advise them of the safe route. • Advise them to use contact and cover techniques if you cannot see their access. • Maintain awareness as the other team approaches.
3	Advise other escorts if the subject has been frisked.

Chapter 19
De-escalate a Hostage Situation

Overview

Introduction

A member of the boarding team may become a hostage or be in a situation in which another person is being held as a hostage. This task explains actions that may be taken to increase the probability of survival of a boarding team member or another person in a hostage situation.

In this chapter

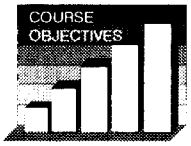
This chapter contains this information:

PQS Items	See Page
1. Explain actions you can take to increase your probability of survival as a hostage.	19-B-1
2. Explain actions you can take as a boarding team member to increase the probability of survival for a hostage.	19-B-3

Section A. Task Outline

Overview

Objective



Without references, students will be able to verbally and in writing state the actions to take to increase the probability of survival in a hostage situation.

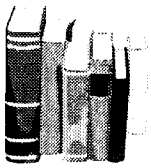
Policy

All USCG personnel involved in ELT operations should be fully aware of actions to take to increase their probability of survival.

All boarding team members are required to complete Task 1-19 of the Boarding Officer/Boarding Team Member PQS for initial qualification and recertification annually thereafter.

No Coast Guard member in the field has the authority to make agreements or promises with hostage takers. Any request or demand must be referred to the District Commander for resolution.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST M16247.3 (series)

Equipment aids

N/A

Section B. PQS Task 1-19 De-escalate a Hostage Situation

1. Explain actions you can take to increase your probability of survival as a hostage.

Action of on-scene personnel

These are the basic guidelines of action to be taken when a hostage situation is developing:

- Take cover.
- Protect yourself.
- Notify the boarding platform.
- Remove all unnecessary people from the vessel.
- Contain the situation.
- Stall for time until a negotiator arrives.
- Assume responsibility until relieved by a more qualified authority.
- Do not antagonize or startle the hostage taker.
- Listen and keep track of what is said and pass on this information to the operational commander or negotiator.

1. Do not give up your weapon to the captors.
2. Do not shoot if there is any risk to the hostage.

You as a hostage

Behaviors that will increase your chances of survival if you should be taken as a hostage:

- Do not antagonize or threaten the captors.
- Do not play hero.

Continued on next page

1. Explain actions you can take to increase your probability of survival as a hostage, Continued.

You as a hostage (continued)	• Do not panic, start whining or crying, or do anything bothersome to the captor. • Maintain an even and calm disposition. • Attempt to cultivate friendship with your captors or identify common interests. Mutual interests can be real or imagined. • Present yourself as a person, not an object. Talk about your family, interests, etc., if it does not annoy the captor. • Escape if there is a clear opportunity to do so.

2. Explain actions you can take as a boarding team member to increase the probability of survival for a hostage.

Action of on-scene personnel

Each hostage situation is unique. These are the basic guidelines of actions to be taken when a hostage situation exists.

Action	Description
Contain and isolate	Boundaries prevent unwary persons from becoming additional hostages.
Stall for time	The early minutes of a hostage situation are the most critical. Emotions tend to cool down as time passes. Hostages and captors may develop feelings of mutual need and even affection.
Limit communications	If possible, only one person should speak to the captors, and then preferably by telephone or radio. It is generally best to say something to the effect, *"I am not permitted to negotiate with you, but I have called someone who does have that authority. He will be here soon. In the meantime, we are going to wait here. We will do nothing to hurt you as long as you stay where you are and do not hurt anyone."* Delays and the need to follow policy can be blamed on the chain of command.
Control communications	If the captor has a telephone, cut access to the general phone system if possible. It generally aggravates a situation if a captor is able to call news media, friends, or confederates. Control the pilot house of the vessel; that is where communication gear is usually located.
Cooperate with trained negotiators	Follow the directions of the trained negotiator, consistent with Coast Guard policies.

Continued on next page

2. Explain actions you can take as a boarding team member to increase the probability of survival for a hostage, Continued.

Action that on-scene personnel should not take

Each hostage situation is unique. These are the basic guidelines of actions to be taken when a hostage situation exists.

Action	Description
DO NOT solicit demands, desires, or deadlines	Do not agree to any demands, do not promise anything. If the captor makes a demand or sets a deadline, note it but do not acknowledge it, if possible.
DO NOT trade or compromise	Do not offer anything, not even water, food, or access to bathroom facilities.
DO NOT endanger additional people	Do not offer to trade hostages or attempt to speak face to face with the captor.
DO NOT make threats	Make no indication of retaliation or arrest. Such threats are likely to aggravate the situation.
DO NOT attempt to free the hostages or arrest captors	Most Coast Guard personnel are not trained in these tactics and do not have the necessary special equipment.
DO NOT antagonize the captor	Do not needlessly antagonize the captors. This action will greatly increase the chances that the hostages will be injured or killed.

The safety of Coast Guard units and personnel will remain the responsibility of the person in charge of that unit or the person acting for that member.

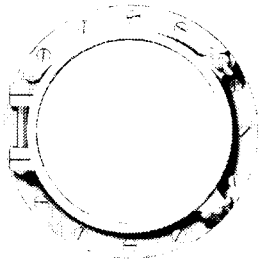
Continued on next page

2. Explain actions you can take as a boarding team member to increase the probability of survival for a hostage, Continued.

Imminent threat to a hostage

If it appears imminent that a hostage or other innocent person is to be killed or seriously injured:

- Do anything reasonable to minimize injuries without misjudging and taking premature action. The person ordering such an action must be certain of the situation.
- Preparations to respond should be made early. Consequences of misjudging and taking premature action are likely to be severe. The person ordering such an action must be certain of the situation.



Chapter 20
Confined Space Entry

Overview

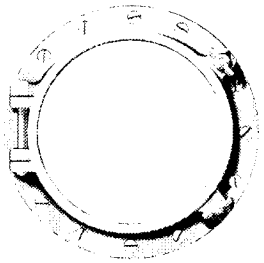
Introduction

Confined spaces pose particular safety hazards to boarding teams as they conduct inspections or searches. This task discusses characteristics, policy, and procedures for entry into confined spaces.

In this chapter

This chapter contains this information:

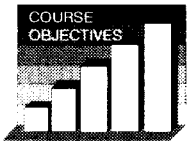
PQS Items	See Page
1. Describe the characteristics of a confined space.	20-B-1
2. Explain the Coast Guard's policy concerning confined space entry.	20-B-2
3. Demonstrate the ability to use all rescue and support equipment related to confined space entry that is appropriate for duties at your unit.	20-B-3



Section A. Task Outline

Overview

Objective



Without references, a boarding team member will verbally and in writing describe characteristics of a confined space and explain the policy for entering such a space.

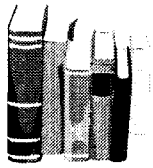
With unit equipment, a boarding team member will demonstrate the use of all rescue and support equipment related to confined space entry.

Policy

Boarding personnel shall not enter any confined space that is suspected of hazardous material contamination or oxygen depletion until a qualified person has tested the space and certified it safe to enter. Testing must continue until boarding team members are no longer required in the space.

All boarding team members are required to complete Task 1-20 of the Boarding Officer/Boarding Team Member PQS for initial qualification and recertification.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Ashore Confined Space Entry, COMDTINST M5100.48 (series)
3. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids

N/A

Section B. PQS Task 1-20 Confined Space Entry

1. Describe the characteristics of a confined space.

Characteristics	For purposes of law enforcement, a confined space is characterized as any enclosed space on a vessel that is suspected of hazardous material contamination or oxygen depletion.

2. Explain the Coast Guard's policy concerning confined space entry.

Space certified to enter	Boarding personnel are instructed not to enter any confined space that is suspected of hazardous material contamination or oxygen depletion until a qualified person has tested the space and certified it safe to enter. Testing must continue until boarding team members are no longer required in the space.
People qualified to certify safe entry	People who are qualified to certify a space for entry: • Damage Control Assistant (DCA) • Gas-free engineer • Marine chemist • Industrial hygienist • Other qualified person as determined by the unit CO or OIC The level of qualification needed in a specific situation is to be determined by the CO or OIC of the unit providing the boarding team or, if deemed necessary, by higher authority.

3. Demonstrate the ability to use all rescue and support equipment related to confined space entry that is appropriate for duties at your unit.

Consult	• Material Safety Data Sheets for first aid • Emergency Response Guidebook
Demonstrate	Demonstrate proper use of available air quality testing equipment in the presence of a person qualified to certify a space ready for entry: • Combustible gas meter and oxygen meter, or • Combination device for combustible atmospheres and oxygen, and/or • Any other equipment that the unit may have for properly testing the space to certify it safe for entry.

Chapter 21
Complete an Initial Safety Inspection (ISI)

Overview

Introduction

This task covers the Initial Safety Inspection (ISI) which should be conducted as part of every boarding.

In this chapter

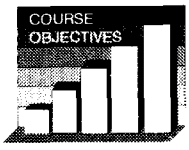
This chapter contains this information:

PQS Items	See Page
1. Explain when it is appropriate to conduct a basic and extended Initial Safety Inspection (ISI).	21-B-1
2. Describe the scope of a basic ISI.	21-B-2
3. Explain the difference between an ISI and a search.	21-B-3
4. Conduct an extended ISI for: (a) Weapons (b) Unaccounted-for persons (c) Identification of safety hazards	21-B-4

Section A. Task Outline

Overview

Objective



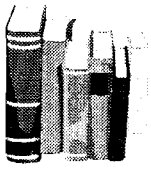
Boarding team members shall be able to explain when to conduct the two types of initial safety inspections, the limitations of an ISI, how it differs from a search, and how to conduct an extended ISI.

Policy

Particular attention should be paid to the safety of Coast Guard personnel and to the requirements of the Fourth and Fifth Amendments governing inspections, searches, seizures, and arrests.

All boarding team members are required to complete Task 1-21 of the Boarding Officer/Boarding Team Member PQS for initial qualification and recertification.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

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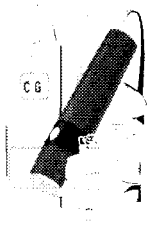
Overview, Continued

Equipment aids

N/A



Section B. PQS Task 1-21 Complete an Initial Safety Inspection

1. Explain when it is appropriate to conduct a basic and extended Initial Safety Inspection (ISI).

Levels of ISI

There are two levels or degrees of initial safety inspections: (1) basic, and (2) extended.

Basic ISI

The basic ISI is a quick and limited protective sweep of a vessel upon boarding for the purpose of protecting the safety of the boarding team by identifying safety hazards and ensuring the vessel's seaworthiness. It is restricted only to those spaces where potential hazards are likely to exist. Since it is done only for the protection of the boarding team and not to gather evidence of criminal activity, neither probable cause nor reasonable suspicion is required. A basic ISI should be conducted as part of every boarding, generally, prior to the administrative inspection. The boarding officer may direct boarding team members to quickly check any spaces on the vessel where a reasonable and prudent mariner would expect hazards to be found, e.g., machinery spaces, bilges, etc.

Extended ISI

The extended ISI is a more focused protective sweep of a vessel restricted to those spaces where potential hazards are likely to exist (e.g., to locate unaccounted-for persons or known persons). An extended ISI may be conducted only when the boarding officer has a reasonable suspicion that there is a particular hazard which may threaten the boarding team.

The master of a vessel should normally be invited to accompany the boarding officer on the ISI.

Evidence gathering is not a purpose of an ISI.

Boarding team members will not ordinarily enter private areas of vessels (e.g., staterooms on large vessels) where hazards would not likely exist.

2. Describe the scope of a basic ISI.

Scope of an ISI

The scope of the ISI is determined by the circumstances of the boarding, particularly the size, type, and condition of the vessel, the demeanor of the crew, and information available to the boarding team about potential threats or hazards aboard the vessel. Since evidence gathering is not a purpose of the ISI, boarding team members conducting a basic ISI will not ordinarily enter private areas of vessels (like staterooms on large vessels) where hazards would not likely exist.

3. Explain the difference between an ISI and a search.

ISI

An ISI is:

- An *inspection* conducted for the safety of the boarding team;
- Limited to specific safety or security hazards (i.e. hazardous conditions, unaccounted personnel, known weapons); and
- Based on *reasonable suspicion* (reasonable belief based on specific facts) for an extended ISI.

Search

A search is:

- A *quest for evidence of guilt* (i.e., contraband, fruits of a crime, instrumentalities of the crime);
- Used in criminal prosecution for some crime or offense; and
- Based on *probable cause* (more probable than not, based on facts and circumstances).

4. Conduct an extended ISI for:

(a) Weapons

(b) Unaccounted for persons

(c) Identification of safety hazards

Extended ISI for weapons	To conduct an extended ISI for weapons: **Location is known.** Proceed to the specified location and make the weapon safe. **Location is not known.** If location is unknown, restrict the movement of the crew. **Weapon does not pose a threat** (in a location over which the boarding team can control access). An extended ISI is not required. A "frisk" of the "grab area" in the vicinity of the crew may be conducted.
Extended ISI for unaccounted persons	The ISI team may look in all person-sized spaces. Once the unaccounted for person is found **or** all person-sized spaces have been checked the ISI for unaccounted for persons is complete.
ISI to identify safety hazards	An ISI for safety hazards is: • Limited to those places where the boarding officer might reasonably expect the safety hazard(s) to exist (e.g., ladders, exposed wires, or fuel or oil in bilges). • Limited to a single space in some circumstances (i.e., fire in the pilothouse). • Complete when the safety hazard is located and no longer poses a threat to the boarding team.

Chapter 22
Discuss Active Information Gathering

Overview

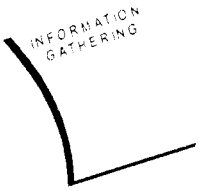
Introduction

Quality boardings include active information gathering by the boarding team.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Discuss with the boarding officer the methods for, and importance of, active information gathering and reporting.	22-B-1



Section A. PQS Task 1-22 Discuss Active Information Gathering

Overview

Objective

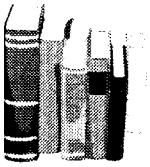
The objective of this task is for boarding team members to discuss the methods of, and the importance of active information gathering and reporting. The law enforcement checklist from the MLEM may be used as a basis for discussion.

Policy

Each unit involved in maritime law enforcement, including arrests, seizures, intoxicated operation cases, and fisheries cases, is required to complete and distribute the applicable parts of the law enforcement checklist.

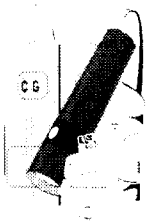
All boarding team members are required to complete Task 1-22 of the Boarding Officer/Boarding Team Member PQS for initial qualification and recertification.

References

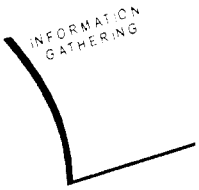


1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST M16247.3 (series)

Equipment aids



- Law enforcement checklist from the MLEM



Section B. PQS Task 1-22 Discuss Active Information Gathering

1. Discuss with the boarding officer the methods for, and importance of, active information gathering and reporting.

Methods

Methods include:

- Ask questions to uncover discrepancies in replies.
- Actively seek more information when discrepancies are uncovered.
- Form a hypothesis and ask more questions or seek information to verify it.

Importance

Of primary importance is the safety of boarding personnel (determine level of risk).

Information gathering can also lead to developing *probable cause* for a search or arrest or lead to the vessel being placed in a formal intelligence system.

Alertness to inconsistencies and indications

All boarding team members should:

- Be aware of indicators that change the degree of risk of the boarding.
- Make observations and report inconsistencies or other indications to the boarding officer.

Reporting

Verbal reports may be made by:

- A boarding team member to the boarding officer.
- A boarding officer to the boarding platform.

The law enforcement checklist is a convenient form for documenting such information.

Continued on next page

1. Discuss with the boarding officer the methods for, and importance of, active information gathering and reporting, Continued.

For situations that increase the level of risk to a boarding team, the method of reporting to the boarding officer or the boarding platform may require caution on the reporter's part. The procedure for reporting in this situation must be planned ahead and known to all boarding personnel.

Law enforcement checklist

The MLEM contains the law enforcement checklist. Each unit involved in maritime law enforcement is to complete the checklist as applicable.

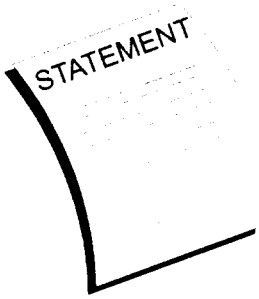
Used by:

- Coast Guard
- Customs Service
- U.S. attorneys

Required use for:

- Arrests of people
- Seizures of vessels or cargo
- Intoxicated operation cases
- Fisheries cases
- Any boarding of consequence.

When questioning meets criteria subject must be given Rights Advice.



Chapter 23
Write a Statement

Overview

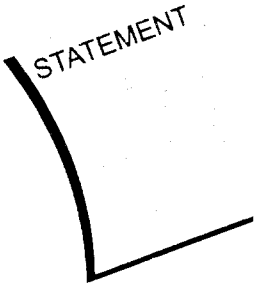
Introduction

Statements by each member of the boarding team and all other witnesses are required for all evidence packages submitted for criminal prosecution. A practical style and general characteristics are presented for a written statement.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Write a statement.	23-B-1



Section A. Task Outline

Overview

Objective

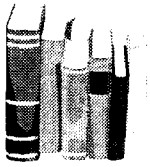
The objective of this task is for boarding team members, using the law enforcement checklist as a reference, to write a statement in general terms.

Policy

All Coast Guard personnel involved in ELT operations should be fully familiar with statement writing involving boarding teams and other witnesses.

All boarding team members are required to complete Task 1-23 of the Boarding Officer/Boarding Team Member PQS for initial qualification and recertification every twelve months.

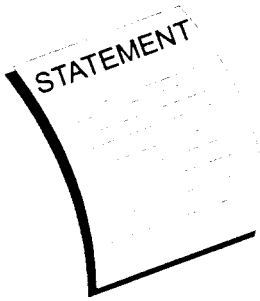
References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids

- Law Enforcement Checklist from the MLEM



Section B. PQS Task Write A Statement

1. Write a statement.

Statement style

There is no specific format or style for written statements. A practical style is the narrative that takes less time, and reduces essential content into a concise, direct form.

Statements may initially be handwritten, especially for oral statements, but should be reproduced in typewritten form, signed and witnessed.

Witnesses providing statements

Witness statements should cover:

- Facts outlined in the law enforcement checklist;
- Admissions, statements, remarks, questions, requests and specific descriptions of nonverbal communication by the persons on board, whether directed at the USCG or not, should be included in the witness statement; and
- All other matters the witness deems appropriate.

Boarding personnel providing witness statement

Any Coast Guard member having knowledge of any admission, statement, remark, etc., by the persons on board at any time they are under Coast Guard observation should provide a witness statement. Such statements should include:

- Facts and circumstances leading up to admission, statement, etc.;
- Exact content of the admission, statement, etc.;
- Other individuals present at the time of the admission, statement, etc.; and
- Name and/or description of the persons on board making the admission, statement, etc.

Continued on next page

1. Write a statement, Continued.

In-depth statements

In-depth statements need only be written by those with an in-depth and critical first-hand knowledge. When writing this type of statement, the boarding officer should:

- Be the primary witness to all critical stages of a seizure, beginning with pre-boarding questioning;
- Provide, in most cases, the most in-depth statement, and do so only after debriefing the boarding team; and
- Indicate in the statement who in the boarding team can testify to key items of evidence that the boarding officer is unable to attest to.

The Maritime Law Enforcement Manual suggests that each member of the boarding team provide "comprehensive statements."

Body of the statement

The body of the statement has the following:

1. Chronological order. All pertinent facts and incidents surrounding the subject of the statement presented in chronological order for clarity and completeness.
2. Phraseology. **Do not** change the witness's peculiar phraseology.
3. Spacing. Single spaced to avoid the possibility of additions to the statement.
4. Background information. Thoroughly covered for positive identification.
5. Closing. The closing should read: "The above statement is true and correct to the best of my knowledge."

Challenge to authenticity

To avoid claims of alterations or substitutions, each page of the statement should be prepared in the following manner:

1. In the upper right hand corner of each page, print the words, "Page __ of __ pages"; to avoid objections regarding the total number of pages.

Continued on next page

1. Write a statement, Continued.

Challenge to authenticity (continued)

2. The originator should sign or initial all pages of the statement. Errors and changes should be lined out and the originator should initial the margin adjacent to the alteration. Initialing errors is an indication that the originator has read and agrees with the content of that particular page.

Signing and witnessing statements

Statements taken from an arrestee and non-Coast Guard witnesses should be signed in the presence of an officer and a witness.

Witnesses are used to rebut claims of undue influence, threats, and/or promises; they should be able to testify that the originator:

- Reviewed the entire statement with the officer;
- Objected to certain phrases or words, as applicable;
- Initialed mistakes and alterations;
- Apparently understood what the statement contained;
- Understood the purpose and legal implications of making the statement;
- Acted of his or her own free will; and
- Acknowledged the statement to be true and correct.

Field notes

Notes should be taken during boardings and kept by the boarding officer to assist in preparation for trial.

Chapter 1
Authority and Jurisdiction

Overview

Introduction

This task covers the Coast Guard's authority and jurisdiction in terms of maritime law enforcement during a boarding operation.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Explain or define:	
(a) Authority	1-B-1
(b) 14 U.S.C. 89	1-B-2
(c) Jurisdiction	
(1) Location	1-B-3
(2) Person/Vessel	1-B-4
(3) Offense	1-B-6
2. Define and explain the jurisdictional limitations for those maritime areas applicable to your unit:	
(a) High Seas	1-B-7
(b) Internal Waters	1-B-9
(c) Exclusive State Waters	1-B-10
(d) Unenclosed Portions of the Great Lakes	1-B-11
(e) Territorial Sea	1-B-12
(f) Navigable and Territorial Waters of the U.S.	1-B-13
(g) Special Maritime and Territorial Jurisdiction of the U.S.	1-B-14
(h) Exclusive Economic Zone	1-B-15

Continued on next page

Overview, Continued

In this chapter,
Continued

PQS Items	See Page
(i) Customs Waters	1-B-16
(j) Land or Water Not Within or Between Any of the Fifty States	1-B-17
(k) Contiguous Zone	1-B-18
(l) Foreign Territorial Waters	1-B-19
3. Explain the Limitations of:	
(a) Consensual Boarding	1-B-20
(b) Statement of No Objection	1-B-21
4. Explain which vessels are exempt from U.S. jurisdiction.	1-B-24
5. Explain diplomatic immunity.	1-B-25
6. Explain possible indicators of a stateless vessel.	1-B-26

Section A. Task Outline

Overview

Objective

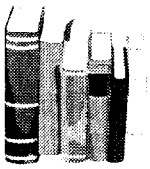
Boarding officers shall be able to verbally communicate to the boating public the USCG's law enforcement authority and jurisdiction according to domestic and international law.

Policy

All USCG personnel involved in any aspect of Enforcement of Laws and Treaties (ELT) operations shall be fully conversant with Coast Guard authority and jurisdiction.

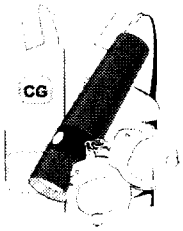
All boarding officers are required to complete Task 2-01 of the Boarding Officer/Boarding Team Member PQS for initial qualification and recertification.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST 16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids



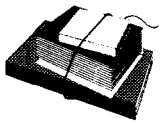
N/A

Section B. PQS Task 2-01 Authority and Jurisdiction

1. Explain or define the following:

(a) Authority

Definition



Authority is:

- The right to exercise power.
- The right to exercise power to require obedience to orders lawfully issued in the scope of public duties.

1. Explain or define the following:

(b) 14 U.S.C. 89

Explanation

The basic statutory authority for Coast Guard law enforcement is contained in 14 USC 89.

Question	Answer
Who has law enforcement authority?	• Commissioned officers • Warrant officers • Petty officers
Who do we work with that **does not** have law enforcement authority based on 14 U.S.C. 89(a)?	• Non-petty officers • Auxiliarists' • Academy cadets • Officer candidates, unless they are prior enlisted Coast Guard • Reservists not on orders
What is the USCG allowed to do?	Go on board any vessel subject to U.S. jurisdiction and: • Make inquiries • Conduct examinations • Conduct inspections • Conduct searches • Make seizures • Make arrests
Where is the USCG allowed to exercise its authority?	• Upon the high seas • Waters over which the U.S. has jurisdiction
Why does the USCG perform these duties?	For the purpose of enforcing the laws of the U.S.
How does the USCG discharge these duties?	Using minimum force necessary to compel compliance.

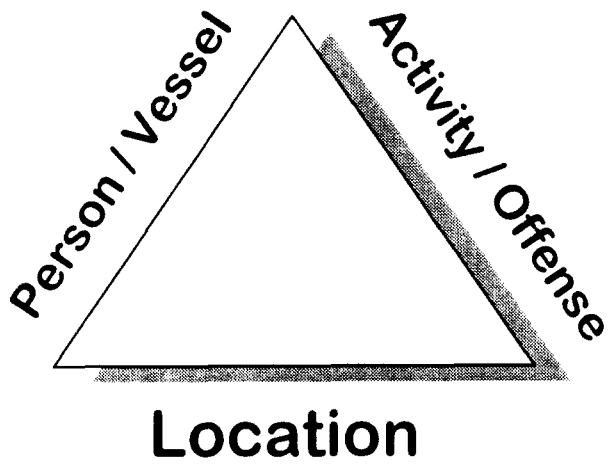
1. Explain or define the following:

(c) Jurisdiction as it applies to:

(1) Location

Jurisdiction triangle

Coast Guard jurisdiction may be represented as a triangle. All three sides of the triangle must be in place for the Coast Guard to exercise its authority.



Location of authority

The USCG law enforcement authority may be exercised in the following geographical areas:

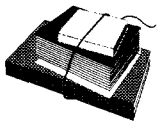
- The high seas;
- Waters subject to the jurisdiction of the U.S. (Note: This term does not include waters subject to the exclusive jurisdiction of a U.S. state); or
- Ashore, if a suspect has fled there from one of the aforementioned locations.

1. Explain or define the following:

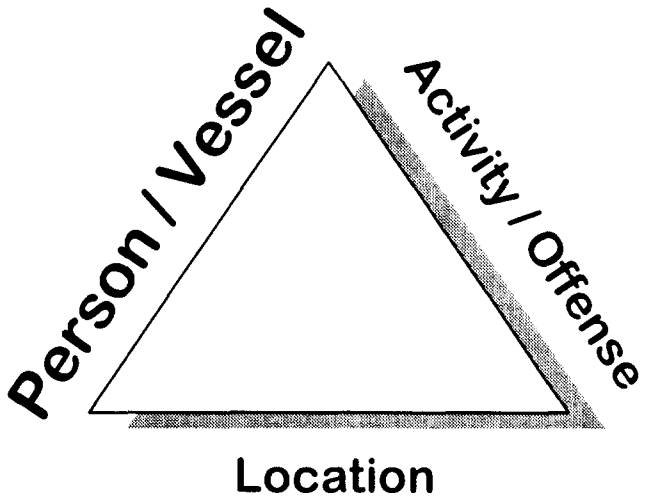
(c) Jurisdiction as it applies to:

(2) Person / Vessel

Definition



A person or thing which is subject to the U.S. law or jurisdiction in the particular place at that time.



Vessel classifications

Every vessel afloat will fall into one of four categories. As federal law enforcement officers we must distinguish between the types in order to determine which laws apply.

- Commercial vessels
  - * Vessels operated for profit
  - * e.g., tour boats, charter boats, comm. fishing boats
- Private/Pleasure vessels
  - * Vessels not operated for profit
  - * e.g., private cabin cruisers, bass boats
- Government-owned or operated noncommercial vessels
  - * Vessels owned or operated by a government and not operated for profit

Continued on next page

1. Explain or define the following:

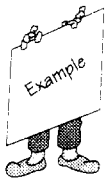
(c) Jurisdiction as it applies to:

(2) Person / Vessel, Continued.

Vessel Classifications (Continued)

* e.g., vessels operated by NOAA, Military Sealift Command, British Royal Fleet Auxiliary (RFA)

- Warships
  * Ships belonging to the armed forces of a State bearing the external marks distinguishing such ships of its nationality, under the command of an officer duly commissioned by the government of the State and whose name appears in the appropriate service list or its equivalent, and manned by a crew which is under regular armed forces discipline



A vessel, which is documented or numbered in the United States, would be subject to U.S. jurisdiction when located 225 nautical miles off shore whereas a foreign-flagged vessel would not, without the permission of the flag state be subject to U.S. jurisdiction. The enforcement officer must determine the status of the person or vessel to ensure that the officer has jurisdiction over the person or thing in the particular place at that time.

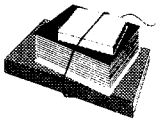
1. Explain or define the following:

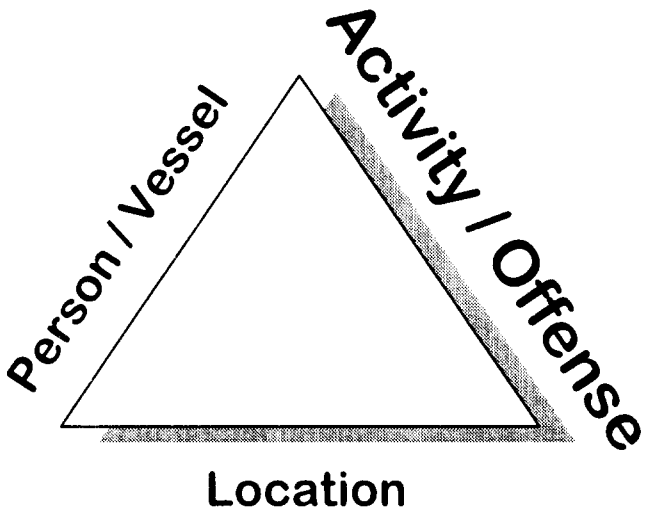
(c) Jurisdiction as it applies to:

(3) Offense

Definition

A violation of a U.S. federal (not state) law which is applicable.





Enforcement

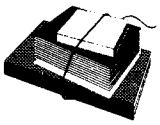
Enforcement actions authorized by 14 U.S.C. 89 may be taken only to enforce:

- U.S. **federal** (not state) **law**; and
- That federal law which is applicable:
  (i) covers the **situation** and/or conduct at hand, and
  (ii) **is effective** in this location.

2. Define and explain the jurisdictional limitations for those maritime areas applicable to your unit:

(a) High Seas

Definition



The high seas include all parts of the ocean seaward of the exclusive economic zone. When a coastal nation has not proclaimed an exclusive economic zone, the high seas begin at the seaward edge of the territorial sea. *(See figure 2-1 for a map of Jurisdictional Areas.)*

Jurisdictional limitations

The following are the jurisdictional limitations for the high seas:

- U.S. Vessels — None
- Stateless Vessels — None
- Foreign Vessels — Subject to the exclusive jurisdiction of the flag State. Limited exceptions include the right of visit, hot pursuit, and constructive presence. The flag State may authorize the exercise of U.S. jurisdiction on a case by case basis or in a standing agreement. When this occurs, the exercise of jurisdiction by the U.S. would be limited as provided by the flag State in the agreement. Boardings which do not involve the exercise of jurisdiction include boardings conducted at the invitation of the vessel's master or person in charge (consensual boardings) and boardings conducted to provide assistance to persons and property.

Continued on next page

2. Define and explain the jurisdictional limitations for those maritime areas applicable to your unit:

(a) High Seas, Continued

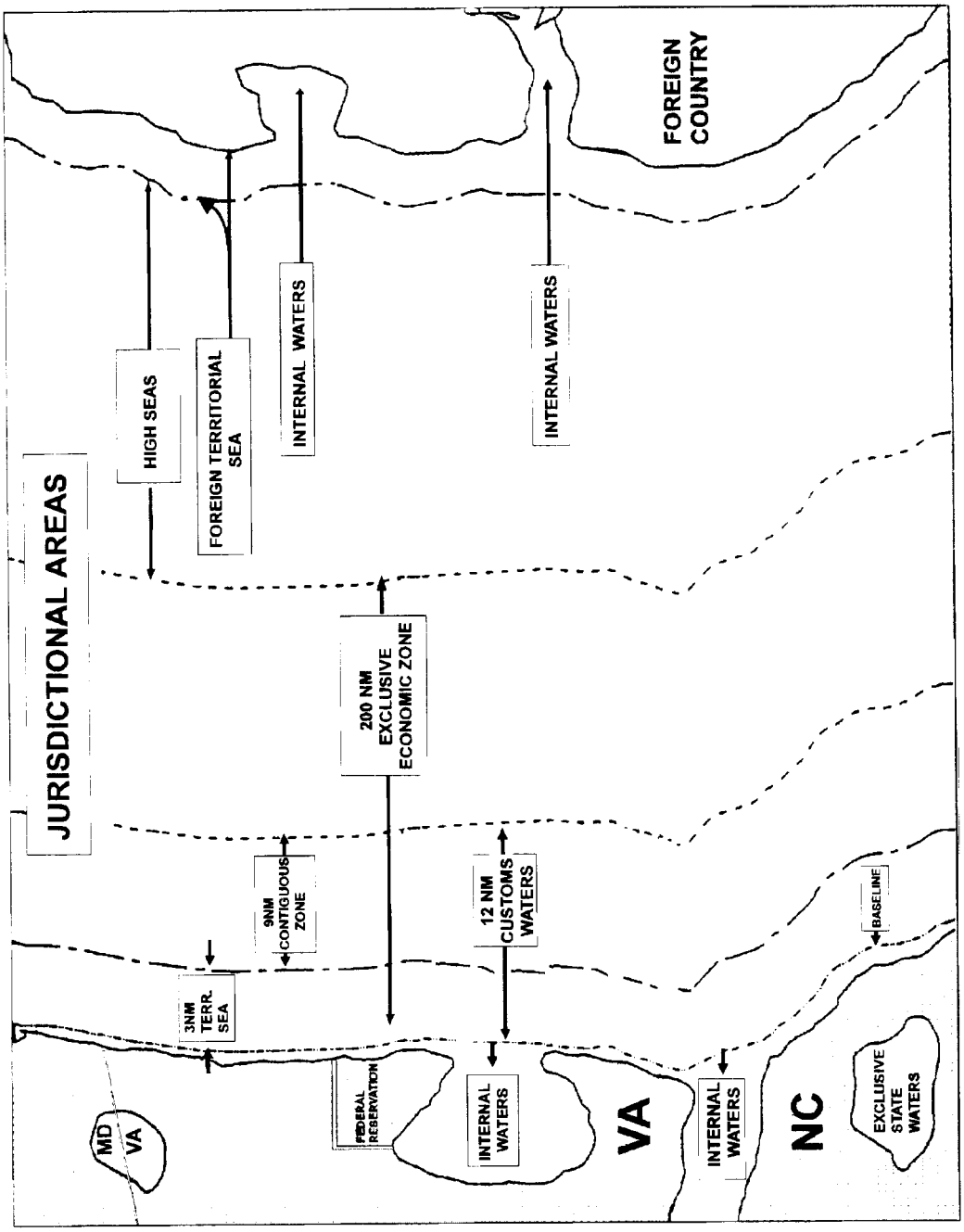


Figure 2-1: Jurisdictional Areas

2. Define and explain the jurisdictional limitations for those maritime areas applicable to your unit:

(b) Internal Waters

Definition

Internal waters are defined as all waters shoreward of the baseline. *(See figure 2-1 for a map of Jurisdictional Areas.)*

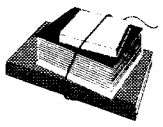
Jurisdictional limitations

There are no jurisdictional limitations applicable for internal waters with the exception of warships and government ships operated for non-commercial purposes.

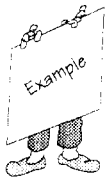
2. Define and explain the jurisdictional limitations for those maritime areas applicable to your unit:

(c) Exclusive State Waters

Definition



Exclusive state waters are those waters which lie wholly within a single state. *(See figure 2-1 for a map of Jurisdictional Areas.)*



An exclusive state water would be a lake with no navigable access to the ocean which lies totally within a single state.

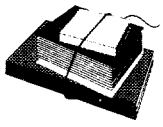
Jurisdictional limitations

The Coast Guard does not have authority on exclusive state waters.

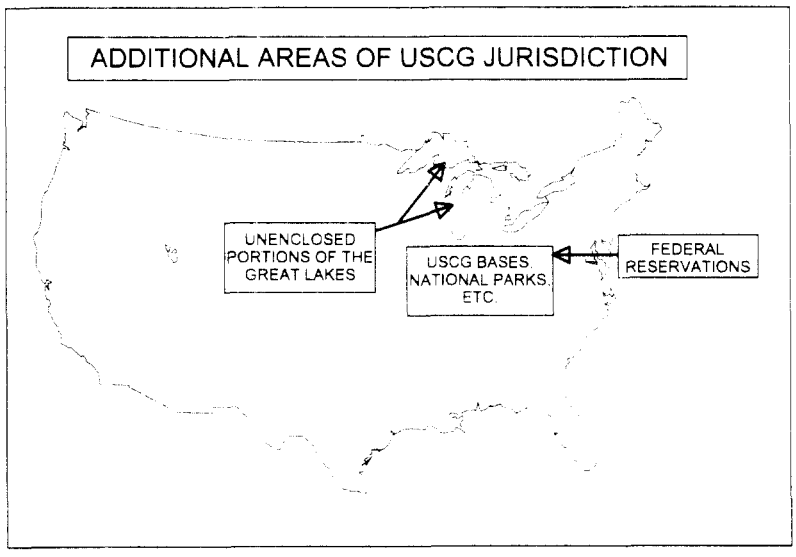
2. Define and explain the jurisdictional limitations for those maritime areas applicable to your unit:

(d) Unenclosed Portions of the Great Lakes

Definition



Those portions of the Great Lakes that are not enclosed by narrow headlands, promontories, or harbor works



Jurisdictional limitations

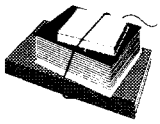
The Coast Guard does not have jurisdiction on exclusive state waters.

The open unenclosed portions of the Great Lakes are included within the Special Maritime and Territorial Jurisdiction (SMTJ) of the United States.

2. Define and explain the jurisdictional limitations for those maritime areas applicable to your unit:

(e) Territorial Sea

Definition



The territorial sea consists of the belt of waters adjacent to the coast and seaward of the baseline. Generally for purposes of U.S. domestic law, the belt is 3 NM wide. The U.S. has established a 12 NM territorial sea for the application of international law as reflected in the Law Of the Sea (LOS) Convention and for purposes of enforcing certain crimes and offenses under Title 18 U.S.C. *(See figure 2-1 for a map of Jurisdictional Areas.)*

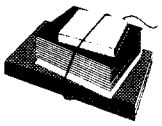
Jurisdictional limitations

There are no jurisdictional limitations applicable for the navigable and territorial waters of the U.S. Foreign warships and foreign government-owned vessels on noncommercial service are immune from the exercise of U.S. jurisdiction, wherever located. Foreign flagged vessels engaged in innocent passage through the territorial sea of the United States may not be boarded without a G-O SNO.

2. Define and explain the jurisdictional limitations for those maritime areas applicable to your unit:

(f) Navigable and Territorial Waters of the U.S.

Definition



The terms navigable waters of the U.S. and territorial waters of the U.S. mean:

- the territorial seas of the United States;
- the internal waters of the United States that are subject to tidal influence; and
- the internal waters of the United States that are not subject to tidal influence that
  - have been used, are being used or have been susceptible for use, by themselves or in connection with other waters, as highways for substantial interstate or foreign commerce, or
  - a governmental or non-governmental body, having experience in waterway improvement, determines to be capable of improvement at a reasonable cost to provide highways for substantial interstate or foreign commerce.

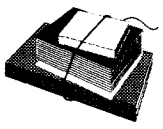
Jurisdictional limitations

There are no jurisdictional limitations applicable for the navigable and territorial waters of the U.S. Foreign warships and foreign government-owned vessels on noncommercial service are immune from the exercise of U.S. jurisdiction, wherever located. Foreign flagged vessels engaged in innocent passage through the territorial sea of the United States may not be boarded without a G-O SNO.

2. Define and explain the jurisdictional limitations for those maritime areas applicable to your unit:

(g) Special Maritime and Territorial Jurisdiction of the U.S.

Definition



The Special Maritime and Territorial Jurisdiction (SMTJ) of the United States includes:

- High seas,
- U.S. territorial sea,
- Open unenclosed portions of the Great Lakes,
- Federal reservations,
- Lands and waters subject to the jurisdiction of the U.S. that are not within a state,
- U.S. vessels in foreign territorial waters, and
- Any place outside the jurisdiction of any nation for an offense by or against a U.S. national.

(See figure 2-1 for a map of Jurisdictional Areas.)

Purpose

The purpose of developing the concept of the SMTJ is to provide federal law enforcement jurisdiction in areas where state law does not apply.

The United States may exercise jurisdiction over certain offenses in Title 18, U.S. Code, when those offenses occur within the Special Maritime and Territorial Jurisdiction of the United States.

2. Define and explain the jurisdictional limitations for those maritime areas applicable to your unit:

(h) Exclusive Economic Zone

Definition

The Exclusive Economic Zone (EEZ), is comprised of those waters seaward of the territorial sea and extending no further than 200 NM from the baseline. In this zone, a country may exercise jurisdiction and control over natural resources (living and non-living), including authority over artificial islands (and other structures used for economic exploitation), marine scientific research and for the protection and preservation of the marine environment. *(See figure 2-1 for a map of Jurisdictional Areas.)*

Jurisdictional limitations

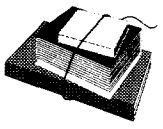
The following are the jurisdictional limitations for the Exclusive Economic Zone:

- U.S. Vessels: None
- Stateless Vessels: None
- Foreign Vessels: Limited to the enforcement of living marine resource laws for those vessels engaged in activities affecting living marine resources. Warships and government vessels operated on noncommercial service are immune from the exercise of U.S. jurisdiction within the E.E.Z.

2. Define and explain the jurisdictional limitations for those maritime areas applicable to your unit:

(i) Customs Waters

Definition



Customs waters essentially for the U.S. are those waters shoreward of a line drawn 12 NM from the baseline (including territorial waters, internal waters, and contiguous zone). *(See figure 2-1 for a map of Jurisdictional Areas.)*

Jurisdictional limitations

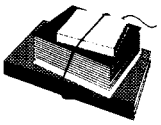
The following are the jurisdictional limitations for customs waters.

1. There are generally no jurisdictional limitations for vessels in our territorial waters (i.e., inside 3 NM from the baseline). There are, under international law, restrictions on the exercise of coastal State jurisdiction within its territorial sea (warships and government vessels operated on noncommercial service are immune; jurisdiction over vessels in innocent passage, including vessels in force majeure, only in very limited circumstances.)
2. Vessels in the contiguous zone (3-9 NM from the baseline).
   - U.S. Vessels: None
   - Stateless Vessels: None
   - Foreign Vessels: Limited to:
     a) Those vessels which have any item on board which is bound for the United States;
     b) Those vessels which are themselves bound for the U.S.; or
     c) Those vessels which are suspected of violating U.S. Fiscal, Immigration, Sanitation or Customs (FISC) laws (enforcement options are limited to these specific types of offenses).

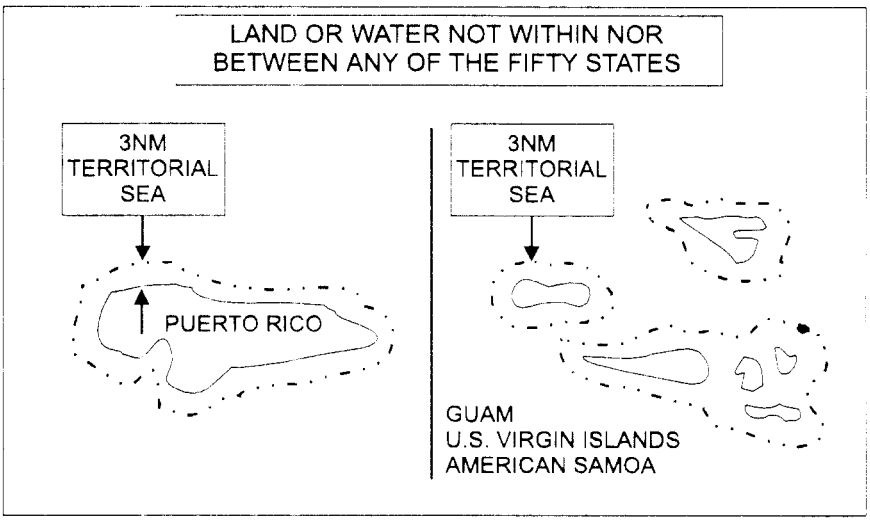
2. Define and explain the jurisdictional limitations for those maritime areas applicable to your unit:

(j) Land or Water Not Within or Between Any of the Fifty States

Definition



Land or water not within nor between any of the fifty states is defined as lands and waters subject to the jurisdiction of the U.S. that are not within a state.

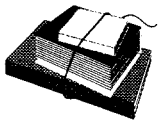


These areas have contiguous zones and EEZs.

2. Define and explain the jurisdictional limitations for those maritime areas applicable to your unit:

(k) Contiguous Zone

Definition

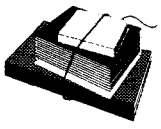


Under international law, this is an area adjacent to and seaward of the territorial sea, which may extend to a maximum of 24 NM from the baseline. In this zone, a coastal State may take enforcement measures to prevent or punish infringement of its customs, fiscal (i.e., revenue), immigration, or sanitary (including pollution) laws and regulations. The U.S. claims a contiguous zone from 3 to 12 NM from the baseline for domestic law purposes. The U.S. has not claimed a contiguous zone beyond the 12 NM territorial sea for international law purposes. *(See figure 2-1 for a map of Jurisdictional Areas.)*

2. Define and explain the jurisdictional limitations for those maritime areas applicable to your unit:

(I) Foreign Territorial Waters

Definition



Territorial waters are the coastal State's territorial sea, and archipelagic waters (if any). *(See figure 2-1 for a map of Jurisdictional Areas.)*

Jurisdictional limitations

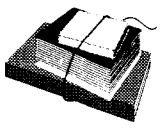
The following are the jurisdictional limitations for the territorial sea of another nation:

A Statement of No Objection (SNO) is required prior to entry into any country's territorial waters for the purpose of effecting law enforcement action.

3. Explain the limitations of:

(a) Consensual Boarding

Definition



A consensual boarding is a boarding conducted solely at the invitation of the master/person in charge of **a vessel which is not subject to the jurisdiction of the United States. Consensual boardings do not involve the exercise of jurisdiction.**

A consensual boarding may be conducted at the invitation of the master (or person in charge, in the master's absence) of a foreign vessel if:

(i) The invitation is **voluntary** (i.e., not the result of coercion or inducement); and

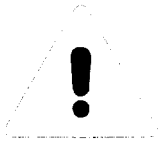
(ii) All actions of the boarding team remain **within the scope of the invitation.**

Limitations

Consensual boardings may be conducted without an SNO, except when the vessel claims to be a warship or a public vessel (government-owned or operated) in noncommercial service. Unless there is specific, published guidance to the contrary, consensual boardings may be conducted without an SNO, except when the vessel claims to be a warship or government vessel operated in noncommercial service.

Consensual boardings are completely subject to the control of the vessel master as to whether they occur, and what their scope and duration maybe. The extent of USCG activity in a consensual/boarding is limited to the scope of the master's consent.

If the limitations are unacceptable to the boarding officer, the only recourse is for the boarding officer to renegotiate or leave the vessel.

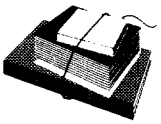


During a consensual boarding, the boarding team has the same status as guests and cannot exert control over the vessel or its crew. However, the boarding officer may **suggest** that the person in charge take certain action.

3. Explain the limitations of:

(b) Statement of No Objection (SNO)

Definition



The SNO is an authorization from Commandant to carry out an operational intent.

The SNO is originated with a planned course of action in mind, and the approval for this action is sought from Commandant. (*See figure 2-2 which illustrates the SNO process.*)

Jurisdictional limitations

The boarding officer is authorized to take only that action which is specifically described in the SNO.

If the SNO says board and search, the boarding team is authorized only to board and search the vessel. If, during the search, the boarding team discovers contraband, the boarding team must seek another SNO to take additional law enforcement action, including seizing the vessel and arresting the crew.

DO NOT make any assumptions concerning what is stated in the SNO. Have a complete understanding of your authority before taking any action.

SNO for boardings

An SNO is required for boarding:

- A foreign/stateless vessel outside waters subject to U.S. jurisdiction. (Note: Statelessness is determined through the PD-27 process, not by the on-scene unit.)
- A U.S. vessel in foreign waters,
- Any vessel when the boarding may have an adverse impact upon foreign relations, or
- Vessels that are classified as Special Interest Vessels (SIV) of the "non-entrant" status.

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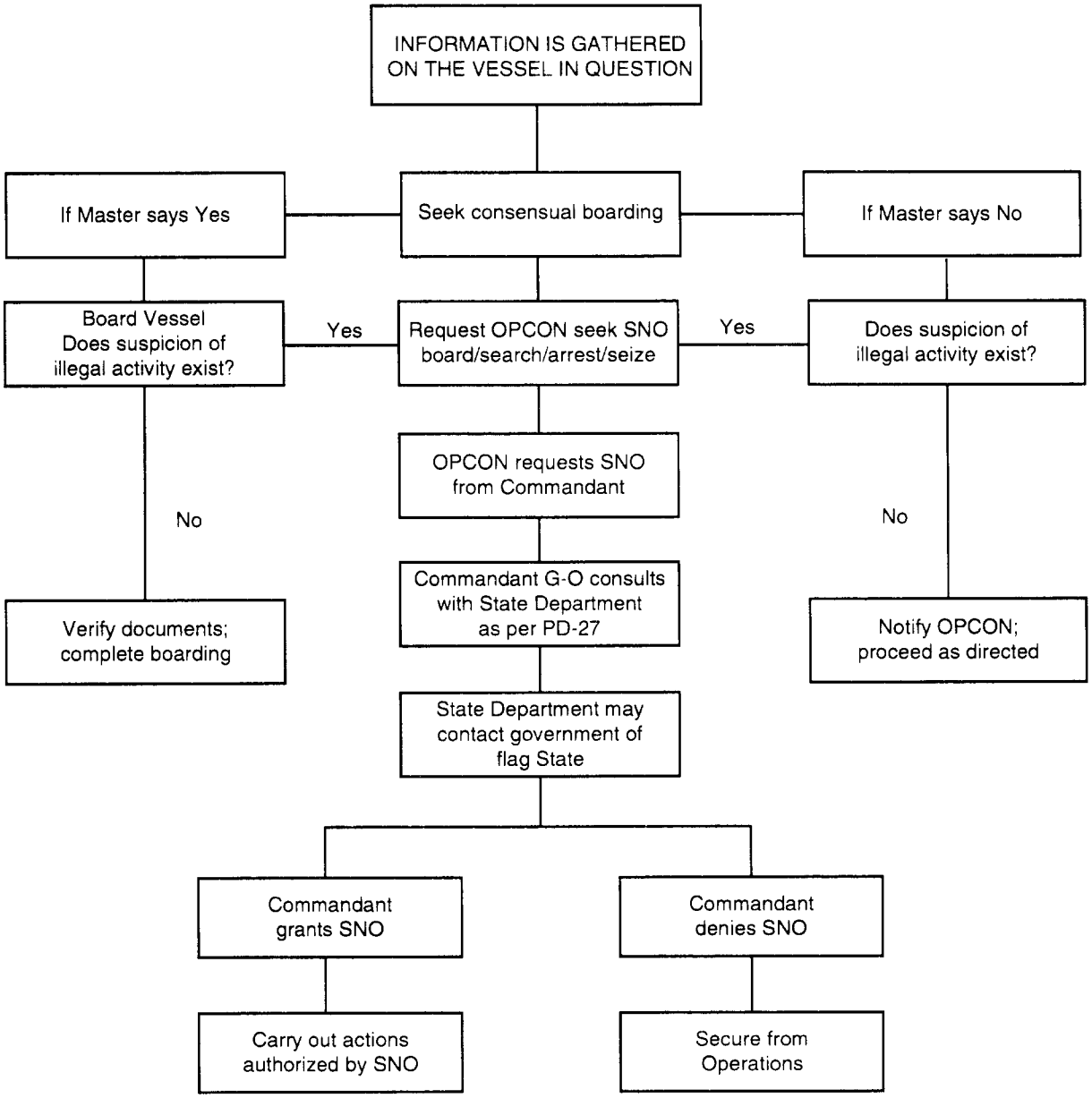
3. Explain the limitations of:

(b) Statement of No Objection (SNO), Continued



Remember: You are only authorized to take actions stated by the SNO

Figure 2-2: SNO Process

Continued on next page

3. Explain the limitations of:

(b) Statement of No Objection (SNO), Continued

SNO for arrest and seizure

You must have an SNO to seize:

- Foreign and stateless vessels anywhere,
- A U.S. vessel anywhere unless cognizant CG Flag Officer has delegated this decisionmaking authority to unit commander in connection with the seizure of U.S. vessels in waters subject to U.S. jurisdiction or on the high seas.
- When the seizure may have an adverse impact on foreign relations.

Commandant has delegated authority to Area/District Commanders to decide whether to seize U.S. vessels operating in waters subject to U.S. jurisdiction or on the high seas.

SNO for warning shots or disabling fire

A Commandant SNO is required for use of warning shots and/or disabling fire:

- In foreign territorial waters
- Against a foreign or stateless vessel which is located seaward of any nation's territorial sea.

Appropriate District/Area Commander approval is required for the use of both warning shots and disabling fire in all other situations, except self-defense.

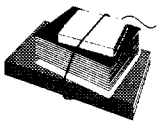
Self defense

Any unit may use warning shots and/or disabling fire in self-defense without authorization from higher authority.

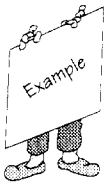
You are always authorized and expected to protect yourself and others from harm. For that reason, you may defend yourself, control the situation and request further guidance.

4. Explain which vessels are exempt from U.S. jurisdiction.

Definition



A foreign warship, or public vessel (i.e., government-owned or operated) engaged in noncommercial activities will normally be immune from U.S. jurisdiction.



The following vessels are exempt from Coast Guard authority:

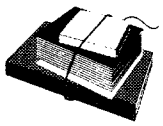
Type of vessel	Example
Foreign government-owned noncommercial	A French national ocean research vessel
Foreign warships	The Russian aircraft carrier "MOSKVA"

Units which develop suspicion that vessels which are immune from the exercise of U.S. jurisdiction are being operated in violation of U.S. law, e.g., foreign warship discharging oil in the U.S. territorial sea, should immediately report such suspicions to Commandant via the chain of command.

Foreign recreational vessels temporarily using waters subject to U.S. jurisdiction are exempt from U.S. numbering and safety carriage requirements.

5. Explain diplomatic immunity.

Definition



Official representatives of foreign governments enjoy certain privileges and immunities under both international and domestic U.S. law. The extent of these privileges and immunities depends upon their official status.

Identification

Persons with diplomatic immunity will have one of the following:

- A Diplomatic identification card (blue border).
- A Consular identification card (red border).
- An Official identification card (green border).

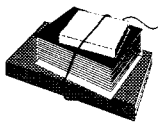
The back of the card will outline the person's immunity and have a phone number that can be used to determine the individual's status. The card will also have a photograph of the individual, his or her official title, where the individual is assigned, and an expiration date.

Treatment of persons claiming to be diplomats

Notify Commandant via most rapid means prior to taking any law enforcement action against a person claiming to be entitled to diplomatic immunity.

6. Explain possible indicators of a stateless vessel.

Definition



Stateless vessel or a ship without a nationality is a vessel which:

(i) is not registered in any country and claims no country, or

(ii) is assimilated to be stateless.

Indicators of nationality

A valid claim of nationality may be evidenced by:

- Vessel documents issued by the flag State,
- National flag or ensign flown, or
- Verbal claim of registry by the master or person in charge of the vessel.

Conflicts in the foregoing may be sufficient to treat the vessel as stateless. (Stateless vessels are subject to the jurisdiction of any state.) Home or hailing ports displayed and oral claims of registry by crew members who are not in charge of the vessel are indications of nationality. They are insufficient to establish a conflict, warranting treating the vessel as stateless without a registry check.

Vessels which refuse to make any claim of nationality may be treated as stateless.

Whether a vessel is to be treated as stateless is an issue which is resolved through the SNO (PD-27) process, not by a unit involved in the law enforcement case.

Chapter 2
Identify Criminal Violations

Overview

Introduction

This task describes the elements that personnel are required to identify that constitute a violation of laws listed below.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. For each of the criminal violations listed below, you will find: ♦ Elements that constitute a violation ♦ Example(s) of a violation ♦ Whether it is a felony or misdemeanor ♦ The appropriate enforcement actions	
a) 18 U.S.C. 111 Assault on a Federal Officer	2-B-1
b) 18 U.S.C. 113 Assault Within the Special Maritime and Territorial Jurisdiction of the U.S. (SMTJ)	2-B-2
c) 19 U.S.C. 70 Hindrance of a Boarding Officer	2-B-3
d) 31 U.S.C. 5316 Exporting/Importing Monetary Instruments	2-B-4
e) 19 U.S.C. 1703 Outfitting for Smuggling & Hidden Compartments	2-B-5
f) 18 U.S.C. 2275 Scuttling	2-B-6

Continued on next page

Overview, Continued.

In this chapter
(continued)

PQS Items			See Page
g)	18 U.S.C. 201	Bribery of a Public Official	2-B-7
h)	18 U.S.C. 661	Theft Within the SMTJ	2-B-8
i)	18 U.S.C. 2314	Transportation of Stolen Goods	2-B-9
j)	8 U.S.C. 1324	Illegal Alien Smuggling	2-B-10
k)	46 U.S.C. 1903	Maritime Drug Law Enforcement Act	2-B-11
l)	21 U.S.C. 844	Simple Possession	2-B-12
m)	18 U.S.C. 2199	Stowaways	2-B-13
n)	14 U.S.C. 88(c)	False Distress	2-B-14
o)	19 U.S.C. 1581(d)	Failure to Stop	2-B-15
p)	46 U.S.C. 8103	Command of a U.S. Vessel by an Alien	2-B-16

Section A. Task Outline

Overview

Objective

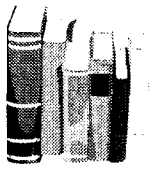
The objective of this task is to ensure that enforcement of laws and treaties (ELT) personnel are familiar with the aspects of various law violations and the appropriate enforcement actions. Comprehending this knowledge will ensure that personnel are able to act upon violations in an informed manner.

Policy

All USCG personnel involved in any aspect of ELT operations shall be able to identify elements that constitute a violation of U.S. laws listed in this handout.

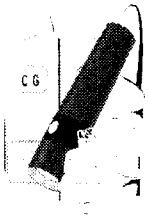
All Boarding Officers are required to complete Task 2-02 of the Boarding Officer/Boarding Team Member PQS for initial qualification and recertification.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST 16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids



N/A

Section B. PQS Task 2-02 Identify Criminal Violations

1. Using references, for the following law:

(a) 18 U.S.C. 111 - Assault on a Federal Officer

- **Explain the elements that constitute a violation.**
- **State whether it is a felony, misdemeanor, or civil penalty.**
- **Give an example of a violation.**
- **List the appropriate enforcement actions.**

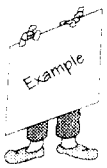
Elements of the violation

Anyone who:

- forcibly opposes,
- assaults,
- resists,
- impedes,
- intimidates, or
- interferes with

Any person designated in Section 1114 while engaged in or on account of the performance of the official duties.

FELONY



Having boarded a disabled boat in the Chesapeake Bay, you determine that the vessel is out of gas. The master appears to be intoxicated and wants you to tow him to his marina several miles away, which you cannot do. This infuriates the master and he begins to bombard you and your crew with empty beer bottles.

Enforcement actions

- Documentation
- Detention
- Arrest

---

1. Using references, for the following law:

(b) 18 U.S.C. 113 - Assault Within the Special Maritime and Territorial Jurisdiction of the U.S. (SMTJ)

- **Explain the elements that constitute a violation.**
- **State whether it is a felony, misdemeanor, or civil penalty.**
- **Give an example of a violation.**
- **List the appropriate enforcement actions.**

Elements of the violation

Anyone within the Special Maritime and Territorial Jurisdiction of the U.S. (SMTJ) unlawfully applies force, attempts to apply force, or threatens with the apparent ability to apply force to another person.

FELONY

MISDEMEANOR

You are on patrol 13 miles offshore when you receive a call that there is a fight on board a U.S.-documented tug. When you arrive on scene, you see several men with clubs in their hands chasing another man around the deck.

Enforcement actions

- Documentation
- Complaint
- Detention
- Arrest

---

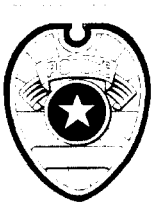
1. Using references, for the following law:

(c) 19 U.S.C. 70 - Hindrance of a Boarding Officer

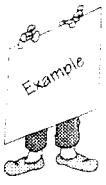
- **Explain the elements that constitute a violation.**
- **State whether it is a felony, misdemeanor, or civil penalty.**
- **Give an example of a violation.**
- **List the appropriate enforcement actions.**

Elements of the violation

When the Master of any vessel obstructs or hinders, or intentionally causes any obstruction or hindrance to any officer lawfully going on board such vessel to enforce revenue or navigation laws of the U.S.



Civil Penalty



You are preparing to board a U.S. registered stern trawler. The person you've been talking to says he is the master. When you tell him you're going to conduct a Coast Guard boarding he says, "No! You can check my boat when I get back to port." As you approach his boat, he increases speed and veers away.

Enforcement actions

- Documentation
- Complaint
- Detention
- Arrest

1. Using references, for the following law:

(d) 31 U.S.C. 5316 - Exporting/Importing Monetary Instruments

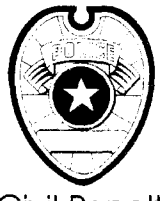
- **Explain the elements that constitute a violation.**
- **State whether it is a felony, misdemeanor, or civil penalty.**
- **Give an example of a violation.**
- **List the appropriate enforcement actions.**

Elements of the violation

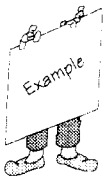
Anyone who knowingly transports more than $10,000 (specific intent offense - foreign or domestic, bearer bonds, gold, silver) into or out of the country without declaring with U.S. Customs.

FELONY

MISDEMEANOR



Civil Penalty



You board a 50 ft. sailboat whose last port of call was Acapulco, Mexico and next port of call is Los Angeles, CA. You discover the operator has $11,000 in U.S. currency on board which he says he declared with customs in Acapulco. When the Customs office is contacted they say they have no record of the declaration by the operator.

Enforcement actions

Contact OPCON for enforcement actions.

1. Using references, for the following law:

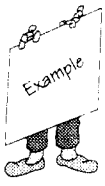
(e) 19 U.S.C. 1703 - Outfitting for Smuggling & Hidden Compartments

- **Explain the elements that constitute a violation.**
- **State whether it is a felony, misdemeanor, or civil penalty.**
- **Give an example of a violation.**
- **List the appropriate enforcement actions.**

Elements of the violation

Anyone under 19 U.S.C. 1703 knowingly building, purchasing, fitting out in whole or in part, or holding a vessel for the purpose of employing it to defraud the revenue, or to smuggle goods into the U.S.

Civil Penalty



You board a 36 ft. yacht and notice that the exhaust pipes in the engine room have been moved further outboard. The master claims this was done so a new sea chest could be installed. The workmanship is poor and the sea chest is unusually large for that size vessel. Upon inspection you found the sea chest to contain marijuana residue.

Enforcement actions

- Documentation
- Complaint
- Property detention
- Property seizure
- Arrest

---

1. Using references, for the following law:

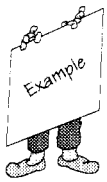
(f) 18 U.S.C. 2275 - Scuttling

- **Explain the elements that constitute a violation.**
- **State whether it is a felony, misdemeanor, or civil penalty.**
- **Give an example of a violation.**
- **List the appropriate enforcement actions.**

Elements of the violation

Anyone who sets fire to, or tampers with the motive power or instrumentalities of navigation on a U.S. vessel or vessel subject to U.S. jurisdiction or places bombs or explosives upon such vessels or does any other act on the vessel while it is within U.S. jurisdiction with the intent to endanger the vessel, cargo, or persons on board.

FELONY



You are in pursuit of a U.S. vessel, and have made all appropriate signals for the vessel to stop. The suspect vessel then opens the engine hatch and disconnects the salt water cooling system hoses, and the vessel begins to take on water. The people on board the vessel then jump overboard. Before you can get pumps on board to stop the flooding the vessel sinks.

Enforcement actions

- Documentation
- Detention of suspects
- Arrest

1. Using references, for the following law:

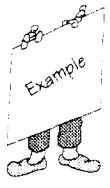
(g) 18 U.S.C. 201 - Bribery of a Public Official

- **Explain the elements that constitute a violation.**
- **State whether it is a felony, misdemeanor, or civil penalty.**
- **Give an example of a violation.**
- **List the appropriate enforcement actions.**

Elements of the violation

Anyone who corruptly gives, offers, or promises anything of value to any public official either directly or indirectly with intent to influence any official act.

FELONY



While boarding a 45 ft. U.S. vessel in the territorial sea, a member of your team discovers a small quantity of a controlled substance. When you confront the master with your discovery, he admits to the contraband. You explain the enforcement actions, and the master offers you a large sum of money to "just forget" what you found.

Enforcement actions

- Documentation
- Complaint
- Property detention
- Property seizure
- Personnel detention
- Arrest

1. Using references, for the following law:

(h) 18 U.S.C. 661 - Theft Within the SMTJ

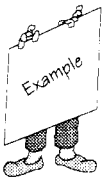
- **Explain the elements that constitute a violation.**
- **State whether it is a felony, misdemeanor, or civil penalty.**
- **Give an example of a violation.**
- **List the appropriate enforcement actions.**

Elements of the violation

Anyone within the SMTJ takes and carries away, with the intent to steal, the property of another.

FELONY

MISDEMEANOR



You approach a boat that fits the description of one reported stolen from Biscayne National Park. You board the suspect vessel 5NM east of Jacksonville. The operator has no documentation for the vessel. An EPIC check reveals that the vessel was reported stolen two weeks earlier.

Enforcement actions

- Documentation
- Complaint
- Property detention
- Seizure
- Personnel detention
- Arrest

---

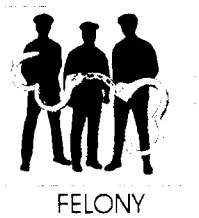
1. Using references, for the following law:

(i) 18 U.S.C. 2314 - Transportation of Stolen Goods

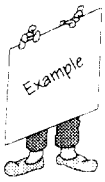
- **Explain the elements that constitute a violation.**
- **State whether it is a felony, misdemeanor, or civil penalty.**
- **Give an example of a violation.**
- **List the appropriate enforcement actions.**

Elements of the violation

Anyone who transports in interstate or foreign commerce goods, wares, merchandise, securities, or money of the value of $5,000 or more known to have been stolen.



This law will cover a situation involving a vessel that travels to another state or beyond 12 NM.



While boarding a U.S. commercial vessel that was inbound from more than 12 miles offshore and asking for the FCC license, the master states that he just bought the radio a few days ago brand new; however, you observe in plain view, seven additional new radios still in the original boxes. Knowing that this is an unusual finding, a determination is made to take a few serial numbers from the radios. Once OPCON runs the numbers, they all come back as being stolen. When confronting the owner with your findings, he states that he knew they were stolen.

Enforcement actions

- Documentation
- Complaint
- Property detention
- Property seizure
- Personnel detention
- Arrest

---

1. Using references, for the following law:

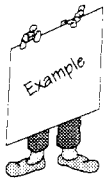
(j) 8 U.S.C. 1324 - Illegal Alien Smuggling

- **Explain the elements that constitute a violation.**
- **State whether it is a felony, misdemeanor, or civil penalty.**
- **Give an example of a violation.**
- **List the appropriate enforcement actions.**

Elements of the violation

Anyone who knowingly brings into the United States or attempts to bring into the United States any alien not duly admitted by an immigration officer or not lawfully entitled to enter or reside in the United States.

FELONY



Prior to boarding Mr. Thompson's yacht, he tells you that he has 5 persons on board and that his last port of call was El Salvador and that his next port of call is Brownsville, Texas. After coming on board, you conduct an extended initial safety inspection based on suspicion developed from your observations (i.e., the odor of urine and feces wafting up through the engine room deck hatch). Sixteen people are found in the engine room bilges, claiming to be from El Salvador, and they tell you that they paid Mr. Thompson to take them to the United States.

Enforcement actions

- Documentation
- Complaint
- Property detention
- Property seizure
- Arrest

---

1. Using references, for the following law:

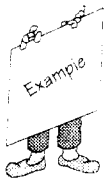
(k) 46 U.S.C. 1903 - Maritime Drug Law Enforcement Act

- **Explain the elements that constitute a violation.**
- **State whether it is a felony, misdemeanor, or civil penalty.**
- **Give an example of a violation.**
- **List the appropriate enforcement actions.**

Elements of the violation

A U.S. citizen on board any vessel, any vessel within U.S. Customs waters, or any person on board a vessel subject to U.S. Jurisdiction, who knowingly or intentionally manufactures or distributes, or possesses with intent to manufacture or distribute a controlled substance.

FELONY



While boarding a vessel within customs waters, you detect a strong odor of marijuana. You locate what appears to be several bales of something wrapped in burlap bags. A test of the substance proves to be positive for THC (active chemical in marijuana).

Enforcement actions

- Documentation
- Complaint
- Property detention
- Property seizure
- Personnel detention
- Arrest

1. Using references, for the following law:

(I) 21 U.S.C. 844 - Simple Possession

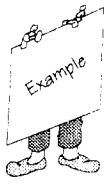
- **Explain the elements that constitute a violation.**
- **State whether it is a felony, misdemeanor, or civil penalty.**
- **Give an example of a violation.**
- **List the appropriate enforcement actions.**

Elements of the violation

It shall be unlawful for any person knowingly or intentionally to possess a controlled substance unless such substance was obtained directly, or pursuant to a valid prescription or order, from a medical practitioner.

MISDEMEANOR

This law deals with small amounts of a controlled substance for personal use.



While boarding a vessel within customs waters, you detect a strong odor of marijuana. You discover an individual on the vessel smoking a marijuana cigarette. A search of the subject reveals a small bag of what appears to be marijuana. A test of the substance proves to be positive for THC.

Enforcement actions

Contact OPCON for guidance.

Owing to the overburdened federal criminal court system, USCG units should normally discuss a case involving personal use quantities with the cognizant district legal office prior to making any arrests.

---

1. Using references, for the following law:

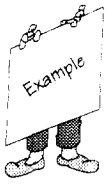
(m) 18 U.S.C. 2199 - Stowaways

- **Explain the elements that constitute a violation.**
- **State whether it is a felony, misdemeanor, or civil penalty.**
- **Give an example of a violation.**
- **List the appropriate enforcement actions.**

Elements of the violation

MISDEMEANOR

A stowaway is whoever, without the consent of the owner, charterer, master, or person in command of any vessel, or aircraft, with intent to obtain transportation, boards, enters or secretes himself aboard such vessel or aircraft and is on board that vessel at the time of departure of the vessel from a port, harbor, wharf, airport or other place within the jurisdiction of the United States.



After boarding a vessel, you discover an individual hiding in the hold. The master of the vessel appears to have no prior knowledge of the individual being aboard his vessel. The individual admits to being a stowaway who secretly boarded the vessel in Mexico.

Enforcement actions

Immediately contact local OPCON. OPCON will consult with other law enforcement agencies as appropriate to obtain disposition guidance.

The USCG has no law enforcement authority regarding stowaways unless they attempt to leave the vessel, in which case they will be apprehended and turned over to INS.

---

1. Using references, for the following law:

(n) 14 U.S.C. 88(c) - False Distress

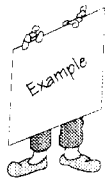
- **Explain the elements that constitute a violation.**
- **State whether it is a felony, misdemeanor, or civil penalty.**
- **Give an example of a violation.**
- **List the appropriate enforcement actions.**

Elements of the violation

An individual who knowingly and willfully communicates a false distress message to the Coast Guard or causes the Coast Guard to attempt to save lives and property when no help is needed.

FELONY

Civil Penalty



Mr. Smith is having a party aboard his vessel. He thinks it would be quite entertaining to transmit a false distress message, and does so. Upon arriving with a contingent of search and rescue (SAR) personnel, you find Mr. Smith laughing and in no distress. He admits to transmitting a false distress message.

Enforcement actions

- Documentation
- Complaint

---

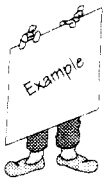
1. Using references, for the following law:

(o) 19 U.S.C. 1581(d) - Failure to Stop

- **Explain the elements that constitute a violation.**
- **State whether it is a felony, misdemeanor, or civil penalty.**
- **Give an example of a violation.**
- **List the appropriate enforcement actions.**

Elements of the violation

Any vessel or vehicle which, at any authorized place, is directed to come to a stop by any officer of customs, or is directed to come to a stop by signal made by any vessel employed in the service of customs and displaying proper insignia, shall come to a stop, and upon failure to comply a vessel or vehicle so directed to come to a stop shall become subject to pursuit.



BM3 Jones, coxswain of the 41435, is patrolling the waters adjacent to Miami, FL, operating approximately 5 nautical miles east of the coast. Using the loudhailer, BM3 Jones directs the operator of the U.S.-flagged "NEVERSAIL" to heave to. The operator of the "NEVERSAIL" looks over his shoulder and shakes his fist in the air. NEVERSAIL is observed to increase speed. BM3 Jones energizes the siren and law enforcement light and gives chase. NEVERSAIL heaves to. During the boarding, the operator apologizes for having failed to stop sooner.

Enforcement actions

Document the events of the case and forward it to the chain of command.

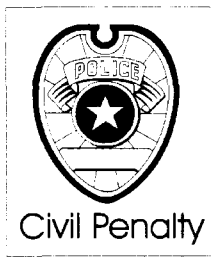
1. Using references, for the following law:

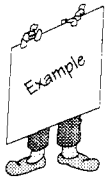
(p) 46 U.S.C. 8103 - Command of a U.S. Vessel by an Alien

- **Explain the elements that constitute a violation.**
- **State whether it is a felony, misdemeanor, or civil penalty.**
- **Give an example of a violation.**
- **List the appropriate enforcement actions.**

Elements of the violation

Only a citizen of the United States may serve as master, chief engineer, radio officer, or officer in charge of a deck watch or engineering watch on a vessel documented in the United States.





After boarding a U.S. documented vessel, you find that the master doesn't speak English. Through an interpreter, you discover that he is not a citizen of the United States.

Enforcement actions

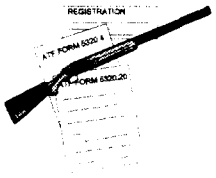
Contact OPCON for guidance.

The citizenship requirement does not apply to:

(a) yachts;

(b) fishing vessels used exclusively for highly migratory species; and

(c) fishing vessels outside the U.S. EEZ.



Chapter 3
Identify Weapons-Related Offenses

Overview

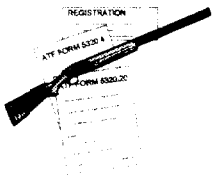
Introduction

This task describes the laws governing weapons and weapons possession that personnel must know in order to identify violations of the laws.

In this chapter

This chapter contains this information:

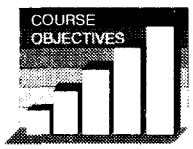
PQS Items	See Page
1. Describe the types of prohibited weapons.	3-B-1
2. Describe what persons are prohibited from possessing firearms.	3-B-3
3. Explain the requirements of lawful possession of prohibited weapons.	3-B-4
4. State the minimum barrel and overall length restrictions of: (a) A shotgun (b) A rifle	3-B-5
5. Measure: (a) A shotgun (b) A rifle	3-B-6
6. Given a weapon, conduct a test to determine whether or not it is an automatic weapon.	3-B-7
7. Explain the Coast Guard's policy concerning the recording of weapon serial numbers.	3-B-10



Section A. Task Outline

Overview

Objective



The objective of this task is to ensure that ELT personnel are familiar with the legal aspects of prohibited weapons. Understanding this information will enable personnel to detect and act upon violations in an proper manner.

Policy

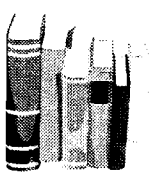
Federal Firearms Regulations apply to the ownership, transfer, manufacture, import/export, and interstate transport of weapons such as machine guns, silencers, bombs or other weapons that are modified or manufactured for concealment or non-sporting use.

The serial number of any firearm discovered during a boarding should be checked through EPIC. The unlawful possession of a federally regulated firearm is a felony offense. All unregistered federally regulated firearms, regardless of serviceability, are contraband and are subject to seizure.

It is recommended that prior to arrest of individuals or seizure of firearms, the cognizant Bureau of Alcohol, Tobacco, and Firearms (ATF) Office be notified.

All Boarding Officers are required to complete Task 2-03 of the Boarding Officer/Boarding Team Member PQS for initial qualification and recertification.

References

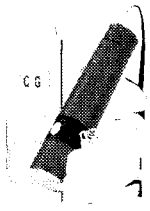


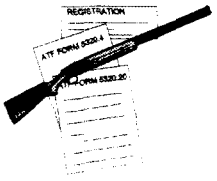
1. ATF-P 5300.4
2. Boarding Officer and Boarding Team Member Personal Qualifications Standard (BO/BTM PQS), COMDTINST 16247.3 (series)
3. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)

Continued on next page

Overview, Continued

Equipment aids N/A





Section B. PQS Task 2-03 Identify Weapons

1. Describe the types of prohibited weapons.

Prohibited weapons

- Short barreled shotgun
  - any shotgun having one or more barrels less than 18 inches in length, or
  - whose overall length is less than 26 inches.
- Short barreled rifle
  - any rifle having one or more barrels less than 16 inches in length, or
  - whose overall length is less than 26 inches.
- Controlled weapons as defined by the National Firearms Act
- Machine Gun
  - any weapon which shoots or is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manually reloading, by a single function of the trigger.
  - includes the frame or receiver of any combination of parts designed and intended for use in converting into a machine gun, and any combination of parts for which a machine gun can be assembled if such parts are in possession or under the control of a person.
- Smooth bore pistol
- Muffler or silencer

Continued on next page

1. Describe the types of prohibited weapons, Continued.

Prohibited weapons (continued)

- Destructive devices
  - * explosive
  - * incendiary device or poison gas
  - * grenade
  - * rocket with 4-ounce propellant charge
  - * missile with more than ¼ ounce charge
  - * mine
- Any weapon (other than a shotgun) which fires a projectile by explosive or propellant with a barrel bore exceeding ½ inch in diameter.
- And any combination of parts designed or intended for use in converting any device into a destructive device and from which a destructive device may be readily assembled.

2. Describe what persons are prohibited from possessing firearms.

18 U.S.C. 922 Prohibited Persons

A person who:

- Has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year;
- Is a fugitive from justice;
- Is an unlawful user or addicted to any controlled substance as defined in section 102 of the Controlled Substance Act 21 U.S.C. 802);
- Has been adjudicated as a mental defective or who has been committed to a mental institution;
- Being an alien, is illegally or unlawfully in the United States;
- Has been discharged from the Armed Forces under dishonorable conditions;
- Having been a citizen of the United States, has renounced his citizenship;
- Is subject to a court order restraining the person from harassing, stalking, or threatening an intimate partner or child of such partner.
- Has been convicted of a misdemeanor crime of domestic violence.

3. Explain the requirements of lawful possession of prohibited weapons.

Requirements

To lawfully possess a prohibited weapon:

1. The weapon must be registered to the possessor in the National Firearms Registration and Transfer Record.
2. The weapon must have a serial number.
3. ATF Form F5320.20, Application to Transport Interstate or to Temporarily Export certain National Firearms Act (NFA) must be with the weapon if the weapon is to be transported across a state line.
4. ATF Form 4 (5320.4), Application For Tax Paid Transfer and Registration of Firearm must be with the weapon at all times.

4. State the minimum barrel and overall length restrictions of:

(a) A shotgun

(b) A rifle

Short barreled shotgun	Any shotgun having one or more barrels less than 18 inches in length or whose overall length is less than 26 inches.
Short barreled rifle	Any rifle having one or more barrels less than 16 inches in length or whose overall length is less than 26 inches.

5. Measure:

(a) A shotgun

(b) A rifle

Length of a shotgun	• The length of the barrel on a shotgun shall be determined, when closed and when the shotgun is cocked, by measuring the distance between the muzzle and the face of the bolt, breech, or breech block. • The overall length of a shotgun is the distance between the extreme ends of the weapon measured along a line parallel to the center line of the bore.
Length of a rifle	• The length of the barrel on a rifle shall be determined by measuring the distance between the muzzle and the face of the bolt, breech, or breech block when closed and when the rifle is cocked. • The overall length of a rifle is the distance between the extreme ends of the weapon measured along a line parallel to the center line of the bore. If the rifle is equipped with a folding stock and/or a flash suppressor, then the stock must be opened to the fullest length, and the flash suppressor must be removed. In cases when the flash suppressor cannot be removed, the measurement will be made from the end of the stock to the bottom portion of the suppressor.

6. Given a weapon, conduct a test to determine whether or not it is an automatic weapon.

Unload weapon

- Point weapon in safe direction.
- Put selector switch to safe.
- Remove ammo source.
- Pull bolt to rear and unload.
- Ensure that weapon is clear.

(See figure 2-03.1)

Open vs. Closed bolt weapon

- If the bolt locked to the rear automatically when you pulled the bolt to the rear, it is an open-bolt weapon.
- If the bolt did not lock to the rear when you pulled the bolt to the rear, it is a closed-bolt weapon.

(See figure 2-03.1)

Closed bolt weapon

- Pull the trigger and hold it down.
- If the hammer didn't drop, release the safety and pull the trigger again.
- When the hammer drops, don't release the trigger (keep holding it down) and pull the bolt back to re-cock.
- Release the trigger and pull. If the hammer does **not** drop, the weapon is an automatic.

(See figure 2-03.1)

Open bolt weapon

- Pull the trigger and hold it down.
- If the bolt doesn't drop, release the safety and pull the trigger again.
- When the bolt goes forward, do not release the trigger (keep holding it down) and pull the bolt back to re-cock.
- If the bolt will **not** lock to the rear, it is an automatic weapon.

(See figure 2-03.1)

Continued on next page

6. Given a weapon, conduct a test to determine whether or not it is an automatic weapon, Continued.

Open bolt weapon
(continued)

If the weapon can be fired in more than one manner, make sure you check the weapon in each mode (i.e., safe, semiautomatic and/or automatic).

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6. Given a weapon, conduct a test to determine whether or not it is an automatic weapon, Continued.

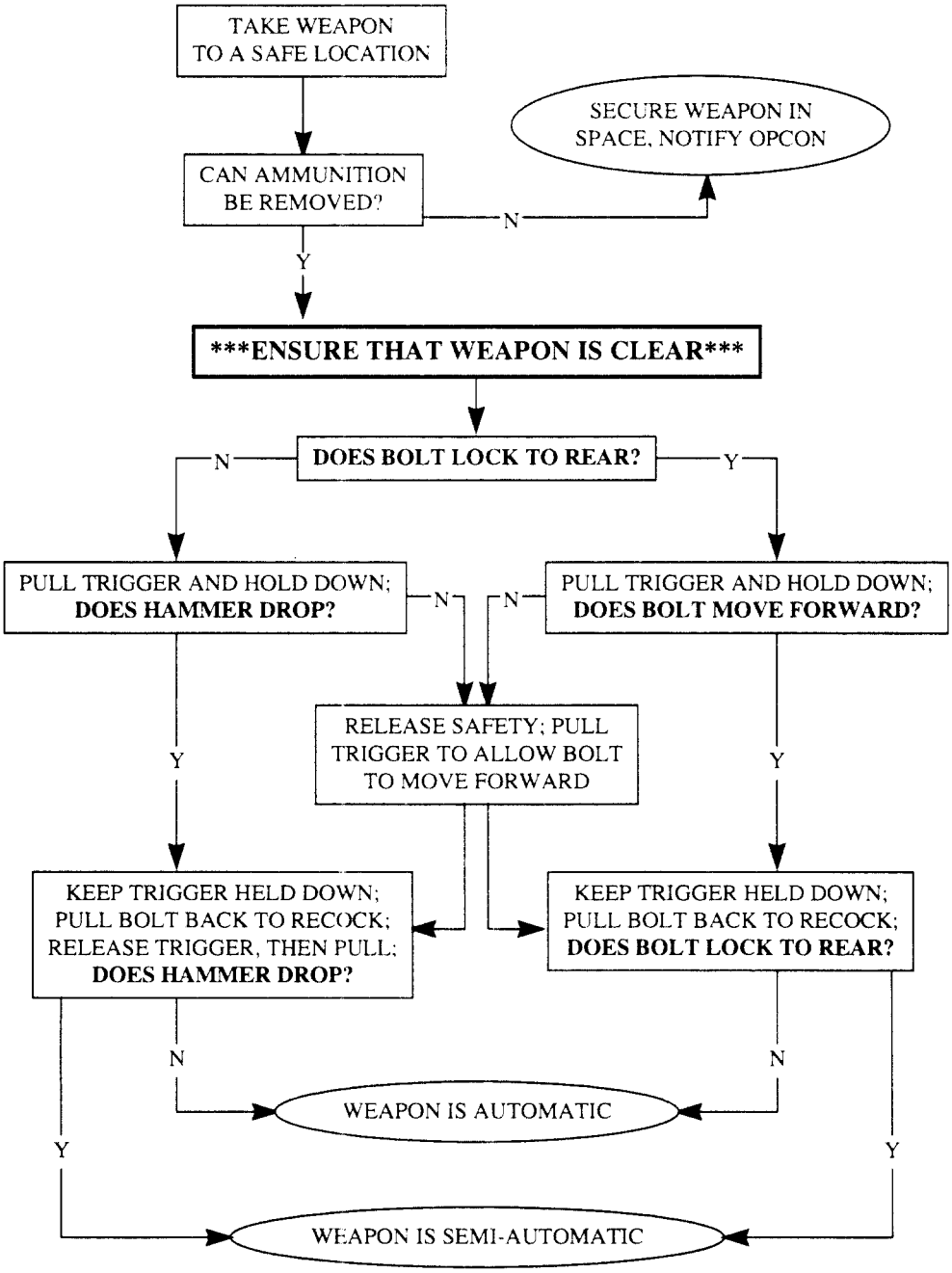
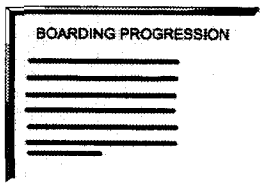


Figure 2-03.1

7. Explain the Coast Guard's policy concerning the recording of weapon serial numbers.

Policy

- Serial numbers of weapons may be recorded from any weapon encountered during a boarding.
- Serial numbers of regulated weapons (i.e., automatic weapons) should be recorded to determine compliance with firearms laws.



Chapter 4
Explain the Boarding Progression

Overview

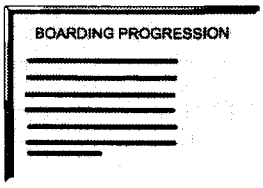
Introduction

This task describes the normal progression of a Coast Guard boarding. Units are encouraged to duplicate and use the standard checklist from the MLEM to standardize boardings throughout the Coast Guard.

In this chapter

This chapter contains this information:

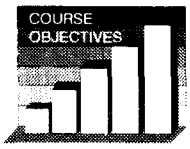
PQS Items	See Page
1. Explain your initial actions upon embarkation of a vessel.	4-B-1
2. Explain the progression or actions to be taken to determine the status of the vessel and enforce all applicable laws and regulations.	4-B-3
3. Explain debarkation procedures.	4-B-8



Section A. Task Outline

Overview

Objective



The objective of this task is to demonstrate knowledge of the standard boarding progression. Although each boarding is different, knowing these factors ensures that all applicable federal laws are enforced during the boarding process.

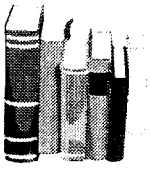
Policy

All boarding officers are required to complete Task 2-04 of the Boarding Officer/Boarding Team Member PQS for initial certification and annually thereafter.

Each boarding will contain the following elements:

- Locating and securing weapons on board
- A basic Initial Safety Inspection
- Introduction of the Boarding Officer
- Vessel Documentation Review
- Vessel Equipment Inspection
- Completion of a CG-4100 form (US vessels only)

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

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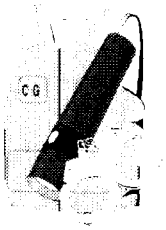
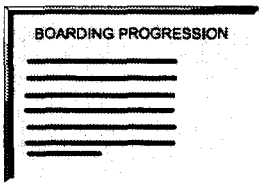
Overview, Continued

Equipment aids N/A





Section B. PQS Task 2-04 Explain The Boarding Progression

1. Explain your initial actions upon embarkation of a vessel.

Summary of actions

Steps	Action
1	Assign security positions.
2	Introduce yourself to operator.
3	Ask for weapons.
4	Secure weapons.
5	Verify number and location of people on board.

Assign security positions

Before the boarding team boards a vessel, the boarding officer should assign security positions. This may include watching the crew, or maintaining surveillance of an area of the vessel.

Introduce yourself to operator

Upon determining who is the master, operator, person in charge, or spokesperson, the boarding officer should identify him/herself and state the reason for the boarding. A standard greeting would be:

"Good day Captain, I'm Petty Officer Smith with the U.S. Coast Guard. We are here today to determine the status of your vessel and ensure compliance with all applicable federal laws and regulations. Do you have any questions?"

Continued on next page

1. Explain your initial actions upon embarkation of a vessel, Continued.

Ask for weapons	Following the introduction, the boarding officer must determine if there are weapons on board; for example: *"Sir, without reaching for or touching them, please tell us if there are any weapons on board."* The boarding officer must ask the master/person in charge if he or she has weapons on board, even if asked during pre-boarding questioning.
Secure weapons	Weapons should be secured in a manner to protect the boarding team. Merely leaving the weapons where they are and placing a boarding team member nearby *may* suffice. All boarding personnel should be aware that weapons are on board (it may be necessary to do so using a visual or verbal code).
Verify number and location of people on board	Count the people on board. If the count is less than the number of people thought to be on board, alert the boarding team to the possible discrepancy; and begin an initial safety inspection for unaccounted personnel. Even if the crew is not mustered, the number and location of all personnel on board must be verified.

2. Explain the progression or actions to be taken to determine the status of the vessel and enforce all applicable laws and regulations.

Summary of actions

Steps	Action
1	Conduct an Initial Safety Inspection (ISI). • Basic ISI • Extended ISI
2	Request vessel's papers and crew identification.
3	Conduct an equipment inspection.
4	Complete the appropriate forms and explain inspection results to a vessel operator.

When it is appropriate to conduct an ISI

A basic ISI should be conducted as part of every boarding. Generally, an ISI is conducted prior to initiation of the administrative inspection. The ISI should be conducted as early in the boarding as possible.

Initial safety inspection defined

There are two levels or degrees of initial safety inspections: (1) basic, and (2) extended.

Basic ISI

The basic ISI is a quick and limited protective sweep of a vessel upon boarding for the purpose of protecting the safety of the boarding team members by identifying safety hazards and ensuring the vessel's seaworthiness. It is restricted only to those spaces where potential hazards are likely to exist. A basic ISI should be conducted as part of every boarding.

Continued on next page

2. Explain the progression or actions to be taken to determine the status of the vessel and enforce all applicable laws and regulations, Continued.

Extended ISI

The extended ISI is still part of the protective sweep of a vessel for the purpose of protecting the safety of the boarding team members, but it is more focused, and is restricted to those spaces where potential hazards are likely to exist (e.g., to locate unaccounted for persons or known weapons).

An extended ISI may be conducted only when the boarding officer has a reasonable suspicion that there is a particular hazard which may threaten the boarding team.

Limitations of an ISI

The scope of the ISI is limited to the safety or security hazard(s) which are suspected to exist; for example: If the master indicates there is a weapon in the top drawer of the chest, make the weapon safe and then notify other boarding team members that a weapon is on board.

The difference between an ISI and a search

An **ISI** is an inspection conducted for the safety of the boarding team; an ISI is limited to specific safety or security hazards (e.g., hazardous conditions, for personnel, known weapons).

A **search** is a *quest for evidence of guilt* (e.g., contraband, fruits of a crime, instrumentalities of the crime) to be used in criminal prosecution for some crime or offense.

Reasonable suspicion (reasonable belief based on specific facts) rather than probable cause (more probable than not, based on facts and circumstances) is required to conduct an extended ISI; probable cause is required to conduct a legal search.

Scope of the ISI

The scope of the ISI is determined by the circumstances of the boarding, particularly the size, type, and condition of the vessel, the demeanor of the crew, and information available to the boarding team about potential threats or hazards aboard the vessel. Since evidence gathering is not a purpose of the ISI, boarding team members conducting a basic ISI will not ordinarily enter private areas of vessels (like staterooms on large vessels) where hazards would not likely exist.

Continued on next page

2. Explain the progression or actions to be taken to determine the status of the vessel and enforce all applicable laws and regulations, Continued.

Master's role

The master or the master's representative should be invited to accompany the ISI team for both types of ISI, unless the boarding officer determines this action to be inadvisable. Factors to consider in determining that an ISI should be unaccompanied include, but are not limited to:

- Inappropriate responses to pre-boarding questions
- Lack of cooperation
- Appearance of vessel
- Specific intelligence
- Presence of weapons

Conduct an extended ISI

An extended ISI may include any of the following which are appropriate to the specific circumstances on board the vessel:

- Identify articles or conditions that pose safety hazards which may endanger the boarding team or others (e.g., pervasive odor of fuel, missing deckplates or lifelines, unsafe ladders, exposed electrical hazards, noxious compartments, etc.);
- Locating and, if appropriate, securing or neutralizing weapons that are known to be on board; and
- Inspecting all person-sized spaces to locate hidden, missing, or unaccounted for persons (e.g., crewmembers, passengers, stowaways, hostages, etc.).

Important items when conducting an extended ISI

- Inspect individual areas or items in the vessel aimed at discovering only particular suspected safety hazard(s); it may not be combined with the vessel inspection.
- Reach only those places where the suspected safety hazards might be found. The boarding officer must tailor the scope of the extended ISI to the specific concerns for the safety of those aboard the vessel.

Continued on next page

2. Explain the progression or actions to be taken to determine the status of the vessel and enforce all applicable laws and regulations, Continued.

Important items when conducting an extended ISI (continued)

- The extended ISI should last no longer than is reasonably necessary. Once the boarding officer's safety concerns have been satisfied, the extended ISI is over.
- An extended ISI for weapons must be reasonable in scope. Rather than conducting an extensive, intrusive search of the entire vessel, a boarding officer who believes that weapons are present should:
  - check only those places where the weapons are known to be;
  - frisk individuals suspected of having weapons; and/or
  - use appropriate personnel control techniques to keep the people on board and the suspected weapons separated (e.g., mustering the crew and conducting an extended ISI only in the area where they are mustered).

Request vessel's papers and crew identification

Ask the master, operator, person in charge or spokesperson for the vessel's documentation/registration and crew identification. The request should be made in a polite, courteous, and businesslike manner, even in the face of open resentment or non-cooperation.

You may request Social Security Numbers (SSNs) from U.S. citizens during the boarding, but may only be provided by persons on a voluntary basis. If a U.S. citizen opts to voluntarily disclose their SSN, they must be provided with a copy of the Privacy Act statement. The Privacy Act statement for this disclosure is written on the back of the CG-4100 form.

Conduct an equipment inspection

Boardings of recreational and uninspected vessels subject to U.S. law should follow the procedures in Chapter 3 of the MLEM, but should focus on recreational and uninspected vessel laws.

Title 46 U.S.C. and the regulations issued thereunder prescribe the numbering, equipment, and operating requirements which every boater must observe.

The equipment required to be carried on a vessel varies with the length or class of the vessel. Equipment inspections should include all equipment required for the class of vessel being inspected.

Continued on next page

2. Explain the progression or actions to be taken to determine the status of the vessel and enforce all applicable laws and regulations, Continued.

Complete the appropriate forms and explain inspection results to a vessel operator

Report of Boarding forms CG-4100/CG-4100S and CG-4100F (as appropriate) should be used to document the results of all equipment inspections. Job aids should be used when conducting equipment inspections.

The Report of Boarding form (CG-4100) should be used for all boardings of vessels subject to U.S. recreational or uninspected vessel laws, and for any other U.S. laws for which there is no particular boarding form readily available.

- Complete the form with a black ball-point pen, printing the required information legibly.
- The boarding officer must sign the completed form.
- If required information is omitted, an explanation should be included on the accompanying CG-4100S form.

3. Explain debarkation procedures.

Summary of actions

Steps	Action
1	Debrief the master.
2	Explain departure procedures.
3	Disembark the vessel.

Debrief the master

When the boarding is completed, any required paperwork will be given to the master along with an explanation from the boarding officer. This can be the most stressful part of the boarding. As everyone watches the person completing the paperwork the rest of the team should talk to the crew to keep everyone's stress level down.

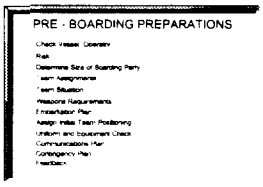
- Never offer the boater an opinion as to what penalty action may be taken on the violations noted.

Explain departure procedures

After handing over the forms and explaining the results of the boarding, the boarding officer will explain the departure procedures to the master. The boarding officer will tell the master exactly what needs to be done to ensure the safe departure of the entire boarding team.

Disembark the vessel

The boarding team will then depart the vessel as planned.



Chapter 5
Make Pre-Boarding Preparations

Overview

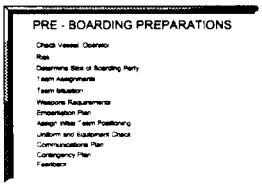
Introduction

This task describes the normal pre-boarding preparations for a Coast Guard boarding, including observation, pre-boarding questions and briefs, and differences between consensual, special arrangement, and U.S. flag vessel boardings.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Explain how pre-boarding observations are critical to proper boarding execution.	5-B-1
2. Ask pre-boarding questions.	5-B-3
3. Conduct an intelligence check on a vessel and operator.	5-B-5
4. Conduct pre-boarding brief.	5-B-7
5. Explain the difference between a consensual, special arrangement, and U.S. flag boarding.	5-B-13



Section A. Task Outline

Overview

Objective

The objective of this task is to demonstrate knowledge of the standard pre-boarding preparations. Although each boarding is different, adequate preparation will help to ensure that the boarding is safe and thorough.

Policy

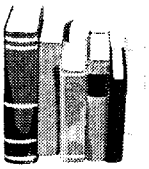
All USCG personnel involved in any aspect of ELT operations shall be fully conversant with Coast Guard pre-boarding preparations.

Clearly identify the U.S. and USCG ensigns and other identifying insignia, including illumination at night.

Two boarding team members are the minimum size of any boarding. Four or more members are recommended for vessels larger than 65 feet.

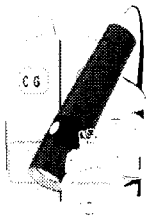
All boarding officers are required to complete Task 2-05 of the Boarding Officer/Boarding Team Member PQS for initial qualification and recertification.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids



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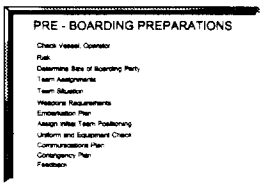


Section B. PQS Task 2-05 Make Pre-boarding Preparations

1. Explain how pre-boarding observations are critical to proper boarding execution.

Pre-boarding observations

Pre-boarding observations are one method used to collect information about a vessel of interest. Pre-boarding observations can help to:

- Identify the vessel's activity.
- Determine authority and jurisdiction.
- Assess the level of threat.
- Collect information to develop suspicion/probable cause.
- Determine whether or not to board.

Pre-boarding information collection

When approaching a vessel of potential law enforcement interest, observe the vessel; note and record the following information about it:

- Location in geographic terms, latitude/longitude, and type of waters (e.g., high seas, EEZ, contiguous zone, territorial seas, internal waters).
- Present activity (e.g., underway, anchored, fishing).
- Course and speed.
- How the vessel is riding in the water.
- Name of vessel and home/hailing port, and/or state numbers (if undocumented) of the vessel.
- How and where the name/numbers are displayed (e.g., hand painted sign board on the bridge wing).
- Type of vessel and complete physical description including the number and types of antennae, appearance of the waterline, whether fishing gear appears recently used or in good repair, and whether the hull shows any marks or indications of another vessel having been alongside.

Continued on next page

1. Explain how pre-boarding observations are critical to proper boarding execution, Continued

Pre-boarding information collection (continued)	• Nationality of the vessel and how indicated, if apparent (e.g., flag flown, home/hailing port). • Condition of the vessel (e.g., maintenance, low in water, hull markings); type and condition of gear; electronics. • Number/appearance of persons on board and their reaction to Coast Guard presence.

2. Ask pre-boarding questions.

Required questions

Standard information is required prior to or immediately upon boarding a vessel, regardless of the size of the unit from which the boarding is conducted. Use the LE check-off lists in Enclosure 5 of the MLEM, or a unit check-off list derived from the MLEM. These questions supplement the observations made prior to the boarding.

This information is required from all boarded vessels:

- Name of vessel
- Nationality/Flag of vessel
- Vessel registration/documentation number, port of registry, main beam/official number (Use care during questioning.)
- Length overall
- Purpose of voyage and how claimed
- Cargo and passengers on board
- Last port of call and date of departure
- Next port of call and expected date of arrival
- Master/operator's name
- Name and address of the vessel owner
- Master/operator's date of birth (DOB) and citizenship. If master is no longer on board, how he or she departed, (name of vessel, port); instructions given upon departure; name of person now claiming to be in charge
- Number/nationalities of additional passengers on board, names, and their citizenship
- Type, number, and location of weapons on board (optional over VHF-FM)

Additional and optional questions

- Specific information about the vessel's construction, propulsion, and registration/documentation.
- Specific information about the vessel's agent and/or owner of the vessel.

Continued on next page

2. Ask pre-boarding questions, Continued.

Special consideration for fishing vessels

All units shall avoid bringing attention to a fishing vessel's catch unless the catch information is required for the safety of the boarding team (e.g., to determine weight restrictions if the vessel is going to be taken in tow by the Coast Guard).

In particular, asking questions over the radio such as the following should be avoided whenever possible:

- "Do you have any catch on board?";
- "How much catch do you have on board?"; and
- "What type of catch do you have on board?"

3. Conduct an intelligence check on a vessel and operator.

Intelligence check

The formal intelligence sources most commonly utilized by the Coast Guard include:

- EPIC (El Paso Intelligence Center)
- Area/District lookout lists
- NMFS (National Marine Fisheries Service)
- State and local agencies
- USCG Law Enforcement Intelligence System (LEIS II)

Information requirements

The following information needs to be provided to the intelligence source to receive an intelligence check for a vessel or person.

Person

Full name and date of birth (DOB) are always required. Additional information should always be provided if it is available, including nationality, passport, drivers license, social security numbers and address(es).

Vessel

Name and/or numbers, type of vessel, and length are required. Additional information should always be provided if it is available, including full description of the vessel, homeport, and previous names or numbers.

LEIS II

The USCG's Law Enforcement Information System (LEIS II) is the CG wide automated system that captures sighting and boarding data.

The information contained in the USCG LEIS II is only as good as the information provided by USCG personnel submitting the Sighting And Boarding Report (SABR). All information contained in USCG SABR is available through the LEIS II.

Continued on next page

3. Conduct an intelligence check on a vessel and operator, Continued.

Determine level of risk

Determination of the level of risk is made prior to every boarding. The boarding officer uses a combination of professional and personal experience to assess the situation. The risk assessment considers the following factors:

- Pre-boarding observation:
  - Number of POB
  - Their reaction to CG presence
  - Type, size, and nationality of the vessel
  - Type, size, and condition of the gear, including electronic equipment
  - Obvious safety hazards from deck equipment, cargo, layout of decks, operating equipment
  - Possible weapons, such as knives carried by fishermen
- Intelligence from pre-boarding information:
  - Inconsistent information
  - Information that does not match observations
  - Hostile attitude
  - Failure to respond to questions
- Intelligence from various sources on the vessel or crewmembers

4. Conduct pre-boarding brief.

Pre-boarding brief

The pre-boarding brief is conducted prior to every boarding to pass information and review individual and team assignments. The purpose is to:

- Determine size of boarding team.
- Make team assignments.
- Brief team of situation.
- Determine weapons requirements.
- Develop embarkation plan.
- Assign initial team positioning.
- Establish communications plan.
- Determine contingency plans.
- Conduct equipment and uniform check.
- Solicit team's feedback.

Determine size of boarding team

The size of the boarding team should be based on the following factors:

- Number of personnel on the vessel to be boarded
- Level of risk, from observation or intelligence information
- Size of the vessel
- Number of qualified boarding officers and boarding team members available

A minimum of two boarding team members are required. Four boarding team members are recommended for vessels 65 feet or larger.

Continued on next page

4. Conduct pre-boarding brief, Continued.

Make team assignments

Team assignments will depend on the size of the boarding team and the level of risk determination. Basic roles must be fulfilled by the boarding team for every boarding.

Individual assignments should be based on the knowledge, skill and experience of the individual members. Match team members to take advantage of individual skills and strength, and as an opportunity to develop junior members. Normally, personnel should be assigned roles in pairs. No boarding team member should proceed without a partner.

These tasks are:

- Boarding Officer. This individual is responsible for the boarding, the boarding team and the proper conduct of the boarding.
- Assistant Boarding Officer (optional): This individual may be assigned specific tasks, such as equipment and documentation inspection, and fisheries inspection. Applicable sections of the PQS must be approved prior to delegating inspection responsibilities to an assistant boarding officer. This position is also a training role to gather experience in the conduct of a boarding.
- Security: The persons responsible for keeping track of the persons on the vessel being boarded, maintaining surveillance of high threat areas, and assisting the boarding officer as directed.
- Inspection and Search: This position conducts the actual inspection and search as directed by the boarding officer. Applicable sections of the PQS must be approved prior to delegating inspection responsibilities.

Continued on next page

4. Conduct pre-boarding brief, Continued.

Brief team of situation

Brief the team members about the boarding, including:

- What is known
  - Vessel description, POB, type of vessel, weapons on board.
- What is suspected
  - Relay assumptions from intelligence information, or observations.
- What to expect
  - Use experience from similar boardings to reduce any unexpected surprises.

Determine weapons requirements

All boarding team members will normally be armed with the service weapon (M9).

Normal boarding weapons include:

- Service weapon
- Expandable baton

If there is reason to suspect that there is a potential threat to the boarding team's safety, at least one member of the boarding team may carry a riot shotgun.

Carriage of chemical spray is optional at the unit level.

Continued on next page

4. Conduct pre-boarding brief, Continued.

Develop embarkation plan

The boarding officer relays to the team the embarkation plan including the location, order of boarding, and individual roles and responsibilities, identified obstructions, and initial security positions.

When selecting an embarkation point, consider:

- Safety of the boarding team
- Weather conditions
- Safety of both vessels
- Size of the vessel
- Type of accommodation ladder

If a ladder is in an unsafe location, direct the operator to move it to a preferred location.

Assign initial team positioning

The initial team positions are assigned. Factors to be considered are:

- Size and type of vessel to be boarded
- Boarding team size
- Number of POB
- Line of fire
- Triangulation

Establish communications plan

The communication plan should address:

- Internal boarding team communications
- Radio
  - Frequencies, silent periods during an ISI
  - Establish a communication schedule between the boarding team and platform, and between boarding team members who are separated.

Continued on next page

4. Conduct pre-boarding brief, Continued.

Establish communications plan (continued)

- Code words and hand signals
  - * Refresh the boarding team member's memory for any codes or signals that have been developed at the unit level.
  - * These codes or signals pass sensitive information or alert other members of possible violations, increased threat conditions, etc.

Communications with the vessel operator/master and crew

- Designate who in the boarding team will talk with each group on board.

Determine contingency plans

Contingency plans should cover as many eventualities as possible for the type and location of the boarding. These may include:

- Hostage situations
- Asylum requests
- Hostile fire situations
- Escape routes/evacuation plans
- "Man Down" situations

Conduct equipment and uniform check

The boarding officer will check the boarding kit for appropriate equipment and forms. Boarding team members should check each other for the proper equipment.

- Ensure members' uniforms are clean.
- All members are wearing the same uniform.
- All firearms carried by the boarding team and boatcrew are loaded and holstered appropriately.
- Body armor is worn when carrying weapons.
- Flashlights are working.
- Conduct communications check with radios.

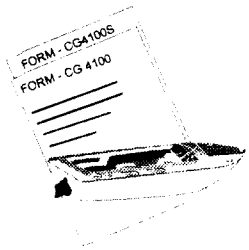
Continued on next page

4. Conduct pre-boarding brief, Continued.

Solicit team's feedback	Prior to concluding the brief, the boarding officer should ask members if anything was missed or left out, or if there are any concerns about the plan. Leave time to allow others to provide information which might assist in the save execution of the boarding. Participation by all members of the boarding team is an essential part of the boarding brief. All members should be encouraged to participate. Be alert during the brief to the reaction of the team members, to make sure they understand. Frequently ask, "Does anyone have any questions?"

5. Explain the difference between a consensual, special arrangement, and U.S. flag boarding.

Consensual	Consensual boardings are conducted at the invitation of the master or person in charge of a foreign flag or stateless vessel. The scope of the boarding and any search is limited by the consent of the master or person in charge. Law enforcement authority cannot be exercised during a consensual boarding. • If a violation is found during a consensual boarding where the U.S. has exercised jurisdiction, notify your operational commander for further guidance. • Nonetheless, if the master or person in charge directs the termination of the boarding, the boarding team must terminate.
Special arrangement	A "special arrangement" is an agreement between a flag State or a coastal State and the United States for the Coast Guard to take certain law enforcement actions against a vessel which is not otherwise subject to U.S. jurisdiction. These may include boarding, search, seizure and arrest. The "arrangement" may exist on a one-time basis, in which instance it would be valid only in the given cause, or it may be continuing as provided in a bilateral agreement between the flag/coastal State and the United States. The contents of the special arrangement are communicated to the on-scene unit in the Statement of No Objection.
Limitations of special arrangement boardings	The contents of the special arrangement will be communicated in the G-O/Flag SNO. The SNO sets out the limits of the boarding team's authority under the special arrangement with the flag or coastal State.
U.S. flag boarding	U.S. vessels may be boarded at any time, day or night, anywhere in the world with the exception of foreign territorial or internal waters (unless a specific arrangement exists). No consent is required from U.S. vessels. No probable cause is required for the purpose of enforcing all applicable federal laws and regulations.



Chapter 6
Conduct a Boarding Using the CG-4100 and 4100S

Overview

Introduction

This task describes the boarding process using the Coast Guard Boarding Report (Form CG-4100) and the Supplemental Boarding Report (CG-4100S). The CG-4100 documents the boarding and provides the operator with the results of a boarding, including any violations found. The CG-4100S is used for additional information, explanations, remarks and comments, and is not provided to the operator. Extensive referral to the Boarding Officer Job Aid Kit (BOJAK), COMDTINST M16247.6, is made within this task. The BOJAK should be carried in the boarding kit. As boarding officers continue to gain experience in boardings they will become more familiar with the various requirements for the types of vessels frequently boarded in their operating area.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Explain when each of the following forms must be used: (a) CG-4100 (Boarding Report) (b) CG-4100S (Supplemental Boarding Report)	6-B-1
2. Using references, for each of the following possible violations: ♦ Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection) ♦ Communicate with and educate the boater ♦ Explain the enforcement/documentation options (i.e., warning, violations, termination) (a) 46 CFR 67.313 Documentation	6-B-2

Continued on next page

In this chapter (continued)

(b)	33 CFR 173.27	Numbering	6-B-5
(c)	46 CFR Part 2	Certificate of Inspection	6-B-7
(d)	33 CFR 175.15 46 CFR 25.25	Personal Flotation Device	6-B-8
(e)	33 U.S.C. 2033 33 U.S.C. 1602 (Rule 33)	Sound Producing Device	6-B-17
(f)	33 U.S.C. 2033 33 U.S.C. 1602 (Rule 33)	Bell	6-B-19
(g)	46 CFR 25.30	Fire Extinguisher	6-B-21
(h)	46 CFR 25.35	Backfire Flame Control	6-B-24
(i)	46 CFR 25.40 33 CFR 175.201 33 CFR 177.07(d)	Ventilation	6-B-27
(j)	33 CFR 159.7	Marine Sanitation Devices	6-B-31
(k)	33 CFR 151.7	Installed Toilet & No MSD Installed	6-B-34
(l)	33 CFR 155.450	Pollution Placard Not Posted	6-B-35
(m)	33 CFR 151.59	Garbage Placard Not Posted	6-B-36
(n)	33 CFR 151.57	Waste Management Plan	6-B-38
(o)	33 U.S.C. 2020 33 U.S.C. 1602 (Rule 20) 33 CFR 177.07(a)	Navigation/Anchor Lights	6-B-39
(p)	33 CFR 175.110 33 U.S.C. 1602 (Rule 37)	Visual Distress Signals	6-B-41
(q)	46 U.S.C. 2302 (a/b)	Negligent/Grossly Negligent Operation	6-B-44
(r)	46 U.S.C. 2302(c) 33 CFR Part 95	Intoxicated Operation	6-B-50
(s)	33 CFR 177.05	Failure to Terminate	6-B-54

Continued on next page

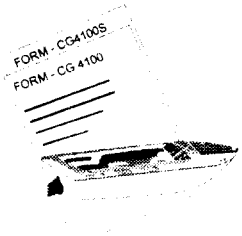
In this chapter (continued)

(t)	46 U.S.C. 4308	Unsafe Conditions Creating an Especially Hazardous Condition	6-B-55
	2.(t)(1)	Overloaded Vessel (33 CFR 177.07)	
	2.(t)(2)	Manifestly Unsafe Voyage (33 CFR 177.07)	
	2.(t)(3)	Fuel Leak From Either Fuel System or Engine (33 CFR 177.07(c))	
	2.(t)(4)	Accumulation of Fuel in Bilges (33 CFR 177.07(c))	
	2.(t)(5)	Hazardous Bars (33 CFR 177.07(b))	
(u)	33 CFR 84-90	Navigation Rules	6-B-62
(v)	33 CFR 155	Pollution Prevention Regs for Vessels	6-B-63
(w)	33 CFR 151	Dumping Garbage (MARPOL Annex V)	6-B-64
3. Complete the basic information blocks of the CG-4100 (Boarding Report).			6-B-65
4. Complete the basic information blocks of the CG-4100S (Supplemental Boarding Report).			6-B-71
5. Explain the procedures for documenting a violation, criminal or civil, not listed using the CG-4100 and CG-4100S (i.e., using the "other" block).			6-B-75
6. Explain the procedures and considerations used when:			6-B-76
(a)	Issuing a written warning		
(b)	Citing a boater for:		6-B-79
	6.(b)(1)	A Violation	
	6.(b)(2)	Negligent Operations	
	6.(b)(3)	Grossly Negligent Operations	
(c)	Terminating the use of a:		6-B-83
	6.(c)(1)	Recreational Vessel	
	6.(c)(2)	Commercial Vessel	
7. Complete a CG-4100, CG-4100S and supporting documentation for each of the following:			6-B-90

Continued on next page

In this chapter (continued)

(a) Written Warning	
(b) Violation	6-B-91
(c) Termination	6-B-93
(d) Negligent/Grossly Negligent Operations	6-B-94
7.(d)(1) Observed	
7.(d)(2) Reported	
8. Demonstrate the ability to collect, record, and report the information required to complete a:	6-B-96
(a) Sighting and Boarding Report (SABR)	
(b) Tactical Query in LEIS II	6-B-97
9. Explain to a boater the civil penalty process including:	6-B-98
(a) Distribution of copies of the CG-4100	
(b) Who assesses the penalty	
(c) Appeal procedures	
(d) Correction of discrepancies	



Section A. Task Outline

Overview

Objective

The objective of this task is to demonstrate knowledge of completing the equipment and requirements inspection during a boarding, document violations not listed on the CG-4100, demonstrate skills explaining laws to the public, and enforcement options for various scenarios. You will also demonstrate the ability to run a tactical query using LEIS II. Although each boarding is different, knowing these factors ensures that all applicable federal laws are enforced during the boarding process.

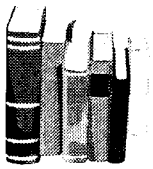
Policy

The CG-4100 will be used to document the boarding of a U.S. recreational vessel or an uninspected vessel subject to U.S. laws or to any other U. S. laws for which there is no particular boarding form readily available.

Additional information, explanations, remarks and comments subsequent to issuing warnings or violations must be detailed on the CG-4100S, the Supplemental Boarding Report.

All boarding officers are required to complete Task 2-06 of the Boarding Officer/Boarding Team Member PQS for initial certification.

References

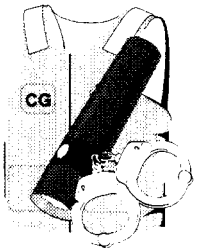


1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)
3. U.S. Coast Guard Boarding Officer Job Aid Kit, COMDTINST M16247.6
4. Law Enforcement Information System II User Manual

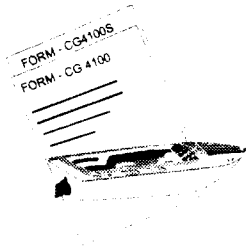
Continued on next page

Overview, Continued

Equipment aids



- CG-4100 (Boarding Report)
- CG-4100S (Supplemental Boarding Report)
- Boarding Officer Job Aid Kit (BOJAK)
- Law Enforcement Information System II User Manual



Section B. PQS Task 2-06 Conduct A Boarding using the CG-4100 and 4100S

1. Explain when each of the following forms must be used:

(a) CG-4100 (Boarding Report)

(b) CG-4100S (Supplemental Boarding Report)

When to use CG-4100

The Boarding Report (CG-4100) documents the boarding of a U.S. recreational vessel or an uninspected vessel subject to U.S. laws or to any other U. S. laws for which there is no particular boarding form readily available. It provides the operator with a list of any violations found.

When to use CG-4100S

The CG-4100S (Supplemental Boarding Report) form provides the hearing officer and unit CO/OIC with a detailed explanation of conditions and situations found during boarding operations. The CG-4100S:

- *Must* be used to provide amplifying information on any warning or violation cited on the CG-4100. (Include the process and results of any boarding *field test (e.g., BWI or NIK).*
- *May* be used to record intelligence information, reports of accidents, or *other significant information.*
- *Does not* need to be completed during the boarding but should be completed as soon as possible after the boarding team has returned to its parent unit.
- A copy of the CG-4100S is not normally provided to the boater at time of boarding but must be included in case file.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(a) 46 CFR 67.313 Documentation

Requirements

All vessels are required to have state registration or documentation papers when underway. Although some states require registration of documented vessels, there is no Federal requirement for documented vessels to be state numbered.

- Temporary and official duplicates are acceptable.
- Photocopies of originals are not acceptable.
- Copies of a lease agreement are acceptable for rental vessels.

Inspection for compliance

Steps	Action
1	Examine the document to see that it has not expired. • Annual renewals are required. • Ensure that items have not been altered
2	Question the operator to determine if any information has changed. Determine if the operator is a U.S. citizen for U.S. documented vessels.
3	Ensure that the hull or main beam number matches the document.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(a) 46 CFR 67.313 Documentation, Continued

Documented vessel requirements

Minimum prerequisites for U.S. documented vessels are:

- The vessel's owner must be a U.S. citizen.
- The vessel must be at least 5 net tons or more.
- The vessel must, at all times, be commanded by a master who is a U.S. citizen (46 CFR 15.805(b)), even if bareboat chartered by a non-U.S. citizen.

Communicate with and educate the boater

The purpose of documentation is to:

- Show evidence of vessel nationality.
- License operation of the vessel in certain trades.
- Show ownership.
- Documentation inspections also help identify stolen boats.

Enforcement/ documentation options

Recreational Boats	Commercial Vessels
A warning may be issued for either of these offenses: • Invalid Certificate of Numbers • Certificate of numbers not onboard	A notice of violation must be issued for documentation discrepancies.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(a) 46 CFR 67.313 Documentation, Continued

Enforcement/ documentation options (continued)	Written warnings may **not** be issued when: • Operator requires a license. • There is failure to have certain required safety equipment on board. (See 33 CFR 1.08.) • There are three or more violations during one boarding. • Non-warnable violations are found.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(b) 33 CFR 173.27 Numbering

Requirements

All vessels are required to have state registration or documentation papers when underway. Although some states require registration of documented vessels, there is no Federal requirement for documented vessels to be state numbered.

- Temporary and official duplicates are acceptable.
- Photocopies of originals are not acceptable.
- Copies of a lease agreement are acceptable for rental vessels.

Verify vessel numbering

To verify the vessel's documentation numbering:

Steps	Action
1	Make sure the hull (or "main beam") number matches the number found on the document and that it is: • Permanently marked, • Clearly visible and located on an interior part of the hull, • In block type Arabic numerals, and • Of not less than 3 inches in height
2	Inspect the vessel's hull to ensure the name and hailing port are properly displayed.

Communicate with and educate the boater

Vessel numbering is required to verify vessel registration and to provide a unique identification mark. The Coast Guard also uses boat numbers and vessel description during search and rescue operations.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(b) 33 CFR 173 Numbering, Continued

Enforcement/ documentation options (continued)

Written warnings may not be issued when:

- The operator is required to be licensed,
- The boarding officer notes three or more violations during one boarding, or
- Non-warnable violations are found.

Recreational Boats	Commercial vessels
A warning may be issued for either of these offenses: • Improper number display • Certificate of numbers not onboard	A notice of violation must be issued for discrepancies.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(c) 46 CFR Part 2 Certificate of Inspection

Requirements	The following vessels are required to be inspected: • Vessels over 15 gross tons that carry freight for hire (except sail and fishing vessels) • Vessels that carry hazardous cargo • Vessels that carry seven or more passengers for hire Inspected vessels are required to: • Post a current valid certificate of inspection in a prominent accessible place. • Operate within the limitations of the Certificate of Inspection. • Have required number of licensed personnel on board.
Inspection	View the Certificate.
Communicate with and educate the boater	The Certificate of Inspection is evidence of the vessel's compliance with minimum Coast Guard requirements. The safety of all vessels and passengers on board is improved through the inspection program.
Enforcement/ documentation options	Commercial vessels: • A notice of violation must be issued for discrepancies.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(d) 33 CFR 175.15/46 CFR 25.25 Personal Flotation Device

PFD types

There are five types of PFDs. Only U.S. Coast Guard approved PFDs can be used to meet the federal carriage requirements.

PFDs are required for all persons on a vessel.

Additional throwable devices are required depending on the size and type of vessel.

Boaters may have PFDs that are not Coast Guard approved as long as adequate numbers of approved PFDs are on board to satisfy the regulatory provisions.

All Coast Guard approved PFDs must be in serviceable condition to meet carriage requirements.

Inherently Buoyant PFDs	Inflatable PFDs
Adult and child sizes	Adult sizes only
Types for swimmers and nonswimmers	Not recommended for nonswimmers
Five Types: 4 wearable and 1 throwable	No throwable Types
Foam filled; will float without action by wearer	Oral and manual inflation as a minimum
Some made for water sports; see PFD label	Not for water sports like skiing or for personal water craft use

Continued on next page

2. Using references, for each of the following possible violations:

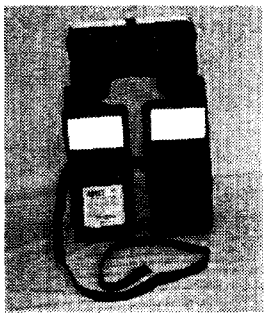
- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(d) 33 CFR 175.15/46 CFR 25.25 Personal Flotation Device, Continued

PFD types
(continued)

Hybrid PFDs
Both adult and child sizes
Combines inherently buoyant flotation material with inflatable bladder for extra lift
Adult and child sizes for swimmers and nonswimmers. Wearable Types only.
Oral inflation as a minimum.

Type I PFD



A Type I PFD has the following characteristics:

- Designed to turn an unconscious wearer's face up in the water.
- The best type for keeping the wearer afloat.
- Designed for offshore use.

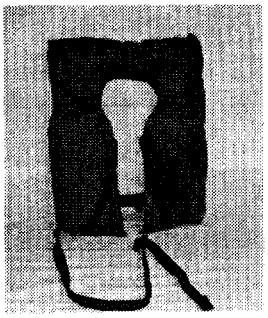
Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(d) 33 CFR 175.15/46 CFR 25.25 Personal Flotation Device, Continued

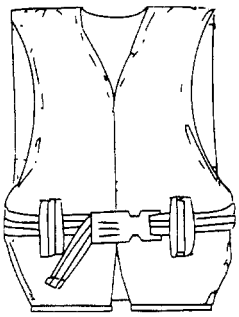
Type II PFD



A Type II PFD has the following characteristics:

- May turn an unconscious wearer's face up in the water.
- Designed for near shore use.
- Less bulky than a Type I PFD.
- Not intended for long hours in rough waters.

Type III PFD



A Type III PFD has the following characteristics:

- Not designed to turn an unconscious wearer's face up in the water.
- Designed for inland and calm water use.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(d) 33 CFR 175.15/46 CFR 25.25 Personal Flotation Device, Continued

Type IV PFD

A Type IV PFD has the following characteristics:

- Designed to be thrown to person in the water.
- May be designed as a seat cushion.
- Not intended for use by unconscious persons, non-swimmers or children.

Type V PFD

A Type V PFD has the following characteristics:

- Approved only for special uses or conditions.
- Designed for use when working or for sports activities.
- Examples: Work Vest, Deck Suits, Pullover Vests, etc.
- Some are required to be worn if counted as carriage requirements (see PFD label).

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(d) 33 CFR 175.15/46 CFR 25.25 Personal Flotation Device, Continued

Immersion suits	An immersion suit is a completely enclosed suit that provides excellent flotation and protects the wearer from dangers of hypothermia. May be carried by uninspected vessels not carrying passengers for hire in place of a required wearable PFD.
Location of PFDs	Type I, II, III, V and immersion suits must be kept readily accessible. Stowage in sealed plastic bags in a hard-to-reach interior cabin is not readily accessible. Type IV PFDs must be immediately available.
Number of PFDs required	Refer to the BOJAK for the carriage requirements for the type of vessel boarded. If insufficient numbers of PFDs are on board, indicate on the CG-4100.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(d) 33 CFR 175.15/46 CFR 25.25 Personal Flotation Device, Continued

Inspection for all PFDs

PFDs should be checked periodically to ensure that they are serviceable.

Steps	Action
1	Check the location of the PFDs. • Stowage location must be accessible.
2	Count the number of PFDs available. • Make sure there are adequate sizes and numbers for the people on board.
3	Check PFD label for Coast Guard approval and Type V conditions.
4	Check webbing, cloth, tapes, straps, threads, mildew, tears, discoloration and missing items. • Small tears (less than 3") can be repaired by the owner/operator if the flotation isn't damaged. • Tears larger than 3", and tears on the seams must be repaired by the manufacturer.
5	Pull straps, material, and hardware in the direction of intended use to check for integrity.
6	Check for obvious strap repair.
7	Check for damaged or lost flotation material.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(d) 33 CFR 175.15/46 CFR 25.25 Personal Flotation Device, Continued

Inspection for inflatable PFDs

Inflatable PFDs must be equipped with:

1. A properly armed inflation mechanism, complete with a full CO_2 cartridge and all status indicators showing that the inflation mechanism is properly armed (If the PFD is worn inflated and meets requirements 2-4 listed below, then it does not need to be armed.) All inflation indicators must be green. If you find a red indicator, it is not properly armed.
2. Inflatable chambers that are all capable of holding air;
3. Functional oral inflation tubes that are not blocked, detached, or broken;
4. A manual inflation lanyard or lever that is not inaccessible, broken, or missing; and
5. Inflator status indicators that are not broken or otherwise non-functional.

Communicate with and educate the boater

Discuss with the boaters the safety aspects of PFDs.

- Benefits of wearing PFDs should a marine accident occur.
- The need to frequently inspect PFDs for rot and wear.
- The need to keep PFDs accessible, not wrapped in plastic.
- The need to carry PFDs sized for the people on board. Children's sizes are necessary to keep children's heads out of the water.
- Recommend small children wear PFDs when underway; may be required by state law.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(d) 33 CFR 175.15/46 CFR 25.25 Personal Flotation Device, Continued

Communicate with and educate the boater (continued)	• Inflatables are not intended for weak or non-swimmers, since a failure of the CO_2 inflation mechanism in the water requires the wearer to be able to orally inflate the PFD while treading water. • Inflatables are not to be used by children under 16 years of age, or anyone weighing under 80 pounds. [Check the label for a non-standard weight range.] • Inflatables are not to be used on PWCs, for water-skiing, knee-boarding, etc. • PFDs being worn orally-inflated can be damaged by CO_2 inflation. The CO_2 cylinder can be removed to prevent accidental over-inflation.
Enforcement/ documentation options	A warning may be issued for any of the following offenses: • PFDs not readily accessible. • Type IV PFD not immediately available. • Not carrying appropriate sizes for passengers. • Not enough Coast Guard approved PFDs are carried. • PFDs not serviceable (missing straps, holes, etc.). • Inflatable PFD either not armed or not inflated. • Type V PFD not used per the label instructions. Issue a violation and terminate the voyage: • Failure to have the required safety equipment on board.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(d) 33 CFR 175.15/46 CFR 25.25 Personal Flotation Device, Continued

Enforcement/ documentation options (continued)	Commercial Vessels, including Fishing Vessels: A notice of violation must be issued for discrepancies. Terminate voyage for: • No personal flotation devices (PFDs) or required immersion suits on board, • Insufficient quantity of PFDs or immersion suits, or • PFDs and immersion suits that are unserviceable.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(e) 33 U.S.C. 2033/33 U.S.C. 1602 (Rule 33) Sound Producing Device

Sound Producing Device

A sound producing device (SPD) may be power, hand, or mouth operated, depending on the boat's length. Refer to the BOJAK for requirements based on type of vessel boarded, including SPD type and distance to be heard.

The most commonly encountered SPD is the whistle. Horns and sirens are considered whistles.

NOTE

Sirens may be carried as SPDs. Though acceptable under federal law, they may be in violation of state and local laws.

Sound producing device inspection

Direct the operator to operate the sound producing device. For vessels less than 12M, efficient sound signal is defined as a device that can produce a 4- to 6-second blast.

Use your judgment to evaluate whether the device produces an adequate sound to be heard for the required distance.

Communicate with and educate the boater

SPDs have various uses on board vessels. They signal:

- Maneuvering intentions
- Messages during reduced visibility
- Danger or distress

An adequate SPD may help save a life.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(e) 33 U.S.C. 2033/33 U.S.C. 1602 (Rule 33) Sound Producing Device, Continued

Enforcement/ documentation options

Recreational Vessels:

A warning may be issued for either of the following offenses:

- Improper operation
- Not audible for required distance

Issue a violation:

- Failure to have the required safety equipment on board.

Terminate voyage:

- Failure to have the required safety equipment on board during restricted visibility.

Commercial vessels, including fishing vessels

- A notice of violation must be issued for discrepancies.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(f) 33 U.S.C. 2033/33 U.S.C. 1602 (Rule 33) Bell

Bell requirements	Bells must produce a "clear, 'bell-like' tone of full, round characteristics." Cow bells are not acceptable as bells. A bell is required for all vessels 12 meters in length or greater. The diameter of the mouth of the bell shall not be less than: • 300 millimeters for vessels twenty meters in length, and • 200 millimeters for vessels of twelve to twenty meters in length.
Bell inspection	Direct the operator to sound the bell. Use your judgment to evaluate whether the bell has a clear "bell-like" tone.
Communicate with and educate the boater	Bells have various uses on board vessels. They provide: • Signals during reduced visibility • Danger or distress signals An adequate bell may help save a life.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(f) 33 U.S.C. 2033/33 U.S.C. 1602 (Rule 33) Bell, Continued

Enforcement/ documentation options	Recreational vessels: A warning may be issued for either of the following offenses: • Improperly sized bell • Missing bell clapper Issue a violation: • Failure to have the required safety equipment on board. Commercial vessels, including fishing vessels • A notice of violation must be issued for discrepancies.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(g) 46 CFR 25.30 Fire Extinguisher

Types of fire extinguishers

There are four types of fire extinguishers. All types must be Coast Guard approved and in serviceable condition to be acceptable for use on boats. Fire extinguishers are identified by class and size.

Class:

- Class A - wood or material
- Class B - fuel
- Class C - electrical
- Class D - combustible metals (not used on boats/vessels)

Size:

- Size I and Size II are considered hand portable.
- Size III, IV, and V are semi-portable.

Requirements

Refer to the BOJAK for requirements based on the type of vessel boarded.

Generally, fire extinguishers are required if any of the following conditions exist:

- Carrying passengers for hire
- Closed construction
- Living spaces
- Permanently installed fuel tanks
- Fuel tanks too large to jettison

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(g) 46 CFR 25.30 Fire Extinguisher, Continued

Inspection

Steps	Action
1	Have the operator remove the fire extinguisher from any bracket. • Corrosive effects may cause the bracket to break in use.
2	Read the inspection plate. • Coast Guard approval will be indicated on the data plate.
3	Look at the gauge or charge indicator, if any. • If below the proper level, do not accept.
4	Weigh CO_2 extinguishers to make sure they have sufficient gas per the data plate.
5	Inspect manifolds and delivery systems for fixed fire fighting systems to ensure that connections are solid.

Communicate with and educate the boater

Fire is one of the greatest dangers for mariners. Proper equipment, operable and accessible, can reduce the threat to both life and the boat.

- Recommend that required fire extinguishers be mounted.
- Required fire extinguishers should not be mounted in engine spaces, unless additional fire extinguishers are available.
- Fire extinguishers should be readily accessible.
- All passengers should know where fire extinguishers are located and how to operate them.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(g) 46 CFR 25.30 Fire Extinguisher, Continued

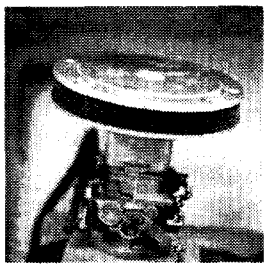
Enforcement/ documentation options	Recreational vessels: A warning may be issued for either of the following offenses: • Not approved • Inappropriate size (i.e., too small) Issue a violation: • Failure to have the required safety equipment on board. Commercial vessels, including fishing vessels • A notice of violation must be issued for discrepancies.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(h) 46 CFR 25.35 Backfire Flame Control

Flame arrestor types



There are three basic types of Backfire Flame Controls:

- Flame Arrestor. The most common device used, it must be firmly attached to the carburetor, be in serviceable condition, be Coast Guard approved **or** have approval numbers: SAE J1928 or U.L. 1111.
- Reed-Valve Assembly. Usually found on air-cushioned vehicles and similar craft, this device must be in serviceable condition, Coast Guard approved, with a label affixed stating that the Coast Guard has accepted the engine for use without an external flame arrestor.
- Carburetor Attachment, also called velocity stacks. This device does not require a Coast Guard approval number, but must be able to withstand vibration, shock, and be in serviceable condition.

Air induction, not technically a flame arrestor, is a closed system of air intake that would cause a backfire to exit outside the engine compartment. Some fuel injected engines have this system.

Inspection

Steps	Action
1	Ensure that the flame control device is clean and firmly attached. • A dirty device is acceptable.
2	Check flame arrestor "grid." • If separated or similarly damaged, the flame arresting capability is diminished and the device is not acceptable.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(h) 46 CFR 25.35 Backfire Flame Control, Continued

Inspection (continued)

Steps	Action
3	Check installation of the device. • Loose gaskets or spaces between the flame arrestor and carburetor defeats the purpose of the device. • If installed improperly, it is not acceptable.
4	Check for a Coast Guard or U.L. or SAE approval number. • If none, and a flame arrestor is required, it is not acceptable.
5	For an air induction or fuel induction system, the manufacturer's label should state the engine has been accepted for use by the Coast Guard without an external backfire flame arrestor.

Communicate with and educate the boater

A backfire flame control has one purpose - to suppress or 'cool' flames. A backfire can and has caused engine fires.

If the flame arrestor is dirty, advise the operator that the arrestor could be cleaned in mild, soapy water and rinsed in clean water.

- A clean arrestor will improve mileage and engine performance.

Enforcement/ documentation options

Recreational vessels:

A warning may be issued for any of the following offenses:

- Not properly maintained
- Not approved type

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(h) 46 CFR 25.35 Backfire Flame Control, Continued

Enforcement/ documentation options (continued)	• Not serviceable Issue a violation: • Failure to have the required safety equipment on board. Commercial vessels, including fishing vessels • A notice of violation must be issued for discrepancies.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(i) 46 CFR 25.40/33 CFR 175.201/33 CFR 177.07(d) Ventilation

Ventilation requirements

The Motorboat Safety Act of 1940 (MBA 1940) and Federal Boating Safety Act of 1971 (FBSA 1971) established ventilation criteria. Though ventilation system requirements are "manufacturer" requirements, boat operators are required to maintain their ventilation system.

Vessels of "closed" construction with installed gasoline engines (including generators) built after April 25, 1940, are required to have natural ventilation with a minimum of 2 ventilation ducts (intake and exhaust) fitted with cowls, or their equivalent, to ventilate engine and fuel spaces.

Boats built after July 31, 1978, which have fuel spaces that do not have any electrical, spark-producing devices and are vented overboard do not require additional ventilation.

Vessels of "closed" construction with installed gasoline engines (including generators), built after July 31, 1980, are required to have natural and powered ventilation.

Types

There are three types of ventilation systems:

- Open construction - no enclosed spaces. Ventilation systems are not required.
- Natural ventilation (uses cowls and ducts).
- Powered ventilation (fan or blower with cowls and ducts).

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(i) 46 CFR 25.40/33 CFR 175.201/33 CFR 177.07(d) Ventilation, Continued

Inspection

The following procedures should be used to examine ventilation:

Steps	Action
1	Look for the warning label (near the ignition or blower switch) which should state: "WARNING. Gasoline vapors can explode on ignition. Ensure blower is operated for at least 4 minutes before starting engine. Check compartment for gas vapors."
2	If fuel and engine spaces are not interconnected, both spaces must be ventilated separately. • Only engine and fuel spaces are required to be ventilated, even if there are other spaces where vapors may be entrapped.
3	Ducts and cowls (or their equivalent) must be free of obstructions; ducts must be at least 2 inches in diameter and installed to proper levels (i.e., lower portion of the bilge). • Ensure the exhaust duct originates in the lower 1/3 of the compartment. • Also check for cracks, tears or splits.
4	If the vessel is equipped with a mechanical blower, the mechanical blower's operation should be checked by feeling the exhaust with your hand, or by some other means.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(i) 46 CFR 25.40/33 CFR 175.201/33 CFR 177.07(d) Ventilation, Continued

Inspection (continued)

Steps	Action
5	Mechanical blowers should be non-sparking and marine rated.
6	Mechanical blowers (sealed units that do not produce sparks when energized) must allow for the passage of air through the blower when not operating (i.e., natural ventilation), and must be installed in the exhaust duct in the engine space.

Communicate with and educate the boater

Inform the boater of the importance of ventilation. Many boat fires occur after a boater refuels and then attempts to start the engine without adequate ventilation.

Boaters should conduct an inspection of their ventilation system with a procedure that is similar to the Coast Guard safety inspection.

- If the blower is not operating properly, DO NOT start the engine.

Enforcement/ documentation options

Recreational vessels:

A warning may be issued for the following offense:

- Blower installed, but has a minor discrepancy.

Issue a violation:

- Not serviceable
- Not approved
- Inappropriate size

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(i) 46 CFR 25.40/33 CFR 175.201/33 CFR 177.07(d) Ventilation, Continued

Enforcement/ documentation options (continued)	• Failure to have the required safety equipment on board Commercial vessels, including fishing vessels • A notice of violation must be issued for discrepancies.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(j) 33 CFR 159.7 Marine Sanitation Devices

Requirements

All vessels with an installed operable toilet must have an installed, certified marine sanitation device (MSD) attached to the toilet. Direct discharge toilets are illegal unless the vessel is operating under a waiver granted by Coast Guard Headquarters. The operator must produce the waiver.

Types

There are three types of MSDs:

- Type I. Flow-through device that treats sewage by chemical means. Also chops and chlorinates sewage and produces no visible floating solids.
- Type II. Flow-through device that treats sewage by biological means, using bacteria to break down the sewage.
- Type III. Holds, incinerates, or recirculates the sewage. The system prevents the overboard discharge of treated or untreated sewage.

No-discharge areas

Vessels shall not discharge sewage overboard, even through an operable MSD, in an area designated as a no-discharge area.

- Type I and II flow-through MSDs must be adequately secured while the vessel is in a no-discharge area.
- Closing the seacock and padlocking, using a non-releasable wire-tie, or removing the seacock handle is sufficient.
- Locking the door to the head with the owner in possession of the key is another acceptable method of securing the MSD.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(j) 33 CFR 159.7 Marine Sanitation Devices, Continued

Y-Valves

Y-Valves may be installed on any MSD to provide for the direct discharge of sewage when the vessel is outside the three mile limit.

- The valve must be secured in the closed position while operating in U.S. waters.
- Use of a padlock, heavy tape, non-releasable wire-tie, or the removal of the valve handle is considered adequate.
- The method chosen must be one that presents a physical barrier to the use of the valve, accidentally or intentionally, and where use could not normally occur without the owner/operator's knowledge.

Inspection

Steps	Action
1	Check boat for installed toilets. • If a toilet is installed, an MSD is required. • **Note**: A porta-potti is not an installed toilet.
2	Check device for approval label. • If installed prior to January 30, 1976, a letter of certification must be on board. • Type III systems that hold sewage at atmospheric pressure and temperature are not required to have a label or letter.
3	Check valves for proper alignment when within three miles or in a no discharge zone.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(j) 33 CFR 159.7 Marine Sanitation Devices, Continued

Communicate with and educate the boater	The negative effect of sewage pollution on shellfish, beaches, and water quality in general can be significant if not controlled. Ask the boater where they pump sewage. Inform them of locations if they do not know the area.
Enforcement/ documentation options	Recreational Vessels: A warning may be issued for either of the following offenses: • Not Coast Guard certified • Improperly operated Issue a violation: • Not serviceable • Failure to have an MSD when there is an installed toilet on board Commercial Vessels, including Fishing Vessels • A notice of violation must be issued for discrepancies

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(k) 33 CFR 151.7 Installed Toilet and No MSD Installed

Requirements	Follow guidance in previous topic, Marine Sanitation Devices.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(l) 33 CFR 155.450 Pollution Placard Not Posted

Requirements	All vessels operated under the authority of the U.S. wherever located or operated under the authority of a country other than the U.S. while in U.S. navigable waters that are 26 feet in length or greater are required to have a pollution placard. • Minimum size 5x8 inches. • Fixed in a conspicuous place in each machinery space or at the bilge and ballast dump control stations. • Must be in a language the crew understands.
Inspection	• Look for the card. • Check for oil in bilges.
Communicate with and educate the boater	Oil pollution affects the quality of life throughout the area. The placard is a reminder to boaters not to spill oil. • Advise the boater where placards are available. Placards are normally available in marine supply stores. • If a bilge pump is installed, ask operator how they prevent the accidental discharge of oil.
Enforcement/ documentation options	Recreational vessels: A warning may be issued for the following offense: • Failure to have placard on board. Commercial vessels, including fishing vessels • A notice of violation must be issued for discrepancies.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(m) 33 CFR 151.59 Garbage Placard Not Posted

Requirements	Each manned U.S. vessel 26 feet in length or greater and each manned floating platform in transit documented under laws of U.S. or operating under authority of U.S. on navigable waters or in the contiguous zone of the U.S. are required to have a garbage placard. • Minimum size 9 inches wide by 4 inches high with 1/8 inch letters, and made of durable material. • Fixed in prominent locations such as embarkation points, garbage handling spaces and common space on deck. • Should be located in sufficient numbers to be readily accessible to crew and passengers. • Must be in a language the crew understands.
Inspection	• Look for the card. • Look for the method of garbage collection and storage on the vessel.
Communicate with and educate the boater	Discharge of plastic or garbage mixed with plastic into any waters is prohibited. No garbage may be discharged within the navigable waters of the U.S. and within all other waters within 3 NM of land. • Ask the operator how garbage is controlled on the vessel. • For purposes of Coast Guard enforcement: penalties include a Class I civil penalty up to $10,000 or a Class II civil penalty that may not exceed $10,000 per day for each day a violation continues. • Local regulations may also apply.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(m) 33 CFR 151.59 Garbage Placard Not Posted, Continued

Communicate with and educate the boater (continued)	• Advise the boater where placards are available. Placards are normally available in marine supply stores.
Enforcement/ documentation options	Recreational vessels: • A warning may be issued for failure to have garbage placard on board. Commercial vessels, including fishing vessels: • A notice of violation must be issued for discrepancies.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(n) 33 CFR 151.57 Waste Management Plan

Requirements	Each manned oceangoing ship (other than a fixed or floating platform) 40 feet in length or greater are required to have a waste management plan and garbage log. **Note**: Vessels operating exclusively on the internal waters, including the Great Lakes or as a non-oceangoing ship are exempt. The plan must be displayed conspicuously and must include information on how the garbage on the vessel will be collected, processed, stored, discharged, and must identify the person in charge of carrying out the plan. Oceangoing commercial vessels over 40 feet are required to maintain a garbage log. The log must state where the trash was discharged, transferred, or discarded at sea, and the date and the amount discarded. If the discharge was disposed at sea, a description of what was dumped is also required.
Inspection	View the plan and garbage log.
Communicate with and educate the boater	These laws were enacted to minimize the garbage discharged into the world's oceans. This reduces hazards to marine life and beaches. The Waste Management Plan and garbage log are reminders for vessel operators to act responsibly.
Enforcement/ documentation options	Commercial vessels, including fishing vessels • A notice of violation must be issued for discrepancies.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(o) 33 U.S.C. 2020/33 U.S.C. 1602 (Rule 20)/33 CFR 177.07(a) Navigation/Anchor Lights

Requirements	Navigation Rules concerning lights shall be complied with from sunset to sunrise. During such times no other lights shall be exhibited, except such lights as cannot be mistaken for the lights specified in the Rules or do not impair their visibility or distinctive character, or interfere with the keeping of a proper lookout.
Inspection	Observe if the lights prescribed by the Navigation Rules are exhibited from sunrise to sunset or during periods of restricted visibility. Direct operator to energize lights during the daytime. If lights do not operate, inform operator of discrepancies.
Communicate with and educate the boater	For the boater: Failure to display proper navigation lights is an extremely dangerous practice. Navigation lights warn boaters of the presence of other vessels, as well as relay information to determine "Rules of the Road" responsibilities for right of way. • The operation of all navigation and anchor lights should be checked prior to getting underway; lights must be displayed from sunset to sunrise and during periods of restricted visibility. • Lights should be checked to ensure that nothing interferes with the visibility of the lights; navigation/anchor lights must not be obscured by equipment, structure or personnel. • Once navigation/anchor lights are energized, any lights that might be mistaken for navigation or anchor lights must be extinguished; other lights cannot be configured on a vessel so as to be confused with navigation/anchor lights.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(o) 33 U.S.C. 2020/33 U.S.C. 1602 (Rule 20)/33 CFR 177.07(a) Navigation and Anchor Lights, Continued

Communicate with and educate the boater (continued)	• Specific navigation light requirements are dependent upon the vessel's length and specific activity; boaters should refer to "Navigation Rules" for specific requirements.
Enforcement/ documentation options	Lights are not required unless operating in restricted visibility or from sunset to sunrise. Recreational vessels: A verbal warning may be issued for the following: • Failure to show proper lights at the required time, and the situation is immediately corrected by the operator. (e.g., replaced lamp, turned on). • Any other condition that can be corrected immediately. (e.g., remove obstruction, turn off interfering lights). • Failure to show proper lights at the required time. A notice of violation may be issued for the following: • Failure to have lights on board when required. Commercial vessels, including fishing vessels • A notice of violation must be issued for discrepancies, unless immediately corrected.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(p) 33 CFR 175.110/33 U.S.C. 1602 (Rule 37) Visual Distress Signals

Requirements

Visual distress signals (VDS), are devices used to signal others when assistance is required, or in case of immediate or potential danger to persons on board. VDS are required on a boat 16 feet or greater in length or any boat carrying six or fewer passengers that is located on the coastal waters of U.S. and on high seas for boats owned in U.S. This includes:

- Great Lakes
- High seas
- Territorial seas, or
- Connecting waters seaward of a point where the waters are 2 nautical miles wide.
- Between sunset and sunrise, no person may use a boat less than 16 feet in length unless VDS suitable for night use are on board.

Visual distress signals must be:

- Coast Guard approved,
- Readily accessible,
- In serviceable condition, and
- Not expired.

NOTE

Visual distress signals with an expired date are not in themselves a violation; they just do not count toward meeting the minimum carriage requirements.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(p) 33 CFR 175.110/33 U.S.C. 1602 (Rule 37) Visual Distress Signals, Continued

Requirements (continued)

VDS Carriage Requirements are listed in the BOJAK for the type of vessel boarded.

The following persons are only required to carry visual distress signals suitable for night use in the required number, from sunset to sunrise:

- Person competing in any organized marine parade, regatta, race or similar event;
- Person using a manually propelled boat; or
- Person using a sailboat of completely open construction, not equipped with propulsion machinery, under 26' in length.

Inspection

VDSs must be readily accessible. The expiration date must not have expired.

Communicate with and educate the boater

- VDS are life savers. Many Coast Guard search and rescue cases begin with a distress signal reported by others.
- Discuss the operation of the signals. Ask the operator if all crewmembers are familiar with the location and operation of the VDS.
- Discuss the conservation of flares during an incident. Advise operators not to expend all their signals when an incident occurs. Save some to signal other vessels or aircraft that come to your assistance.
- Notify the operator if signals have recently expired (within the last six months) or will expire within a short period.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(p) 33 CFR 175.110/33 U.S.C. 1602 (Rule 37) Visual Distress Signals, Continued

Communicate with and educate the boater (continued)	• Although the regulations require only a certain number of signals, advise the operator they can carry more than required.
Enforcement/ documentation options	Recreational vessels: A verbal warning may be issued for either of the following: • VDS not readily accessible. • VDS expired within the last six months. A notice of violation may be issued for either of the following: • Failure to have the required number and type of signals on board when required. • VDS expiration date over six months. Commercial vessels, including fishing vessels: • A notice of violation must be issued for discrepancies.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(q) 46 U.S.C. 2302(a/b) Negligent/Grossly Negligent Operation

Explain negligent operations	Negligent operation is the failure to exercise that degree of care which a reasonable person under like circumstances would demonstrate in order to prevent the endangering of life, limb or property of any person. Negligent operation may be the result of an operator's ignorance, inattention, or general carelessness.
Inspection	Examples of negligent operation include: • Excessive speed or wake for the circumstances. • Operating too close to swimmers in the water. • Bow riding under certain conditions (i.e., with no safety railing when vessel is traveling at high speed). Bow riding itself is not negligent. • Pulling a water skier at a high rate of speed crisscrossing in front of other vessels.
Explain grossly negligent operations	Grossly negligent operations implies extreme forms of negligence. Gross negligence is absence of all care. The term means the operator of a boat knows or should know that a certain act can create an unreasonable risk of harm, even though he/she does not necessarily intend to cause harm.
Inspection	Examples of grossly negligent operation include: • Operating in a posted swimming area with swimmers present. • Bow riding in spite of a prior written warning for bow riding. • Extremely dangerous water skiing practices.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(q) 46 U.S.C. 2302(a/b) Negligent/Grossly Negligent Operation, Continued

Explain the enforcement procedure for each of the above IAW with local standard operating procedures	There are two different ways to handle negligent/grossly negligent operation violations, depending on how the Coast Guard becomes aware of the violation. Negligent operations may either be: 1. *Observed* (by a Coast Guard boarding officer) or 2. *Reported* (to the Coast Guard), usually a citizen's complaint, not observed by a Coast Guard Boarding Officer or other competent authority (i.e., state/local law enforcement person).
Information required	The following information is required to support a negligent and grossly negligent operation violation. This information may be provided either by the boarding officer or a complainant. 1. Date, time and exact location of the incident. 2. Name, address and age of the operator of the offending vessel. a) May not be available 3. Name, address and age of the owner of the offending vessel. a) May not be available 4. Description of the offending vessel, including: a) type of vessel b) vessel name and or hull number c) hull material d) type of propulsion e) color f) rig

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(q) 46 U.S.C. 2302(a/b) Negligent/Grossly Negligent Operation, Continued

Information required (continued)

5. Weather conditions, including:
   a) visibility
   b) sea conditions
   c) wind conditions
6. Names and addresses of witnesses.
   a) Note if there were no other witnesses.
   b) Include statements concerning their willingness to testify.
7. Proximity of other vessels or bathers at the time of the incident.
8. Concise summary of injuries to persons or property.
9. A brief, clear description of the pertinent facts that caused the observer to feel there was negligent or grossly negligent operation.

Procedures for documenting an observed negligent/grossly negligent operation

When a boarding officer witnesses a violation and is able to go to the scene:

Steps	Action
1	Have the complainant complete a statement.
2	If there are additional witnesses to the incident, ask each of them to provide statements of what they observed. • If the alleged offender is still on scene, board the offender's vessel, and advise the operator of the alleged violation.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(q) 46 U.S.C. 2302(a/b) Negligent/Grossly Negligent Operation, Continued

Procedures for documenting an observed negligent/grossly negligent operation (continued)

Steps	Action
3	Conduct a boarding; and cite the operator for Negligent Operation and other violations noted during the boarding. • Attach the complainant's report and any statements from other witnesses to the CG-4100/CG-4100S forms.
4	The commanding officer or officer in charge reviews the report and forwards the CG-4100, CG-4100S and statements to the District Office. • Additional information may be submitted if readily available.

Procedures for documenting a reported negligent/grossly negligent operation

When a report of violation is received and not witnessed by the officer who is able to go to the scene:

Steps	Action
1	Conduct a boarding; • Cite the operator for alleged negligent operation and other violations noted during the boarding.
2	Include a statement on the CG-4100S indicating the reason for the boarding (i.e., the initial report of negligent operation).

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(q) 46 U.S.C. 2302(a/b) Negligent/Grossly Negligent Operation, Continued

Procedures for documenting an observed negligent/grossly negligent operation (continued)

Steps	Action
3	All information listed above is needed to document the reported negligent operation violation. If the complainants did not include all required information in their report of the violation, interview the complainants to obtain the information needed to support the negligent operation violation.
4	The commanding officer or officer in charge reviews the report and forwards the 4100, CG-4100S and statements to the District Office. • Additional information may be submitted if readily available.

If officer is not able to go to the scene or cannot locate the alleged offender:

Steps	Action
1	Mail or give the complainants a "Report of Negligent Operation" if a local form is available, or ask them to complete a statement with the required information noted above.
2	Direct them to mail the report or statement to the District Office.

Communicate with and educate the boater

Negligent and Grossly negligent operations affect the safety of passengers and other vessels or people.

Penalties may be assessed up to $1,000 for negligent operations and $100,000 and up to one year in jail for grossly negligent operations.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(q) 46 U.S.C. 2302(a/b) Negligent/Grossly Negligent Operation, Continued

Enforcement/ documentation options	Recreational vessels: A verbal warning or violation may be issued for the following, depending on the situation and the Boarding Officer's judgment: • The operator ceases to operate in an unsafe manner. A vessel may be terminated if: • Continued operation of the vessel by the operator will result in unsafe operations in the Boarding Officer's judgment. Commercial vessels, including fishing vessels: • A notice of violation must be issued for negligent operations or grossly negligent operations.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(r) 46 U.S.C. 2302(c)/33 CFR Part 95 Intoxicated Operation

Requirements

The Coast Guard has two distinct standards for intoxication for the operator:

Blood Alcohol Concentration (BAC)

- Recreational vessel: 0.10.
- For other than Recreational vessels: 0.04.
- If state has a statutory BAC standard different than Federal standard, the state standard is used.

Behavioral Standard

- Determined by the Field Sobriety Test (FST)
- Personal observation of party's speech, behavior, manner, etc.

Inspection

Steps	Action
1	Identify the operator of the vessel. • Observed the subject operating the vessel's controls.
2	Determine reasonable suspicion that the operator may be intoxicated. • Document initial suspicions on Form CG-4100S. • Observed the operator drinking (specify). • Observed negligent operations (specify). • Actions of vessel after the operator is told to stop (specify).

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(r) 46 U.S.C. 2302(c)/33 CFR Part 95 Intoxicated Operation, Continued

Inspection (continued)

Steps	Action
3	Document initial contact with the subject: • Odor of alcohol and strength of the odor. • Description of the subject's face and eyes (flushed face, bloodshot eyes). • Description of the subject's speech (any slurring, etc.). • Subject's behavior (threatening, cooperative, silly). Specify facts/actions that caused your evaluation.
4	Ask pre-test questions and document results on the CG-4100S and the FST performance record. • Do you have any physical defects? • Do you have any physical disabilities? • Do you have any defects in your feet, legs, ankles or hips? • Do you have any defects with your eyes? • Are you sick or injured? • Are you under the care of a doctor or dentist? • Are you taking any medications or drugs? • What is the last grade you completed in school?
5	Administer the battery of field sobriety tests.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(r) 46 U.S.C. 2302(c)/33 CFR Part 95 Intoxicated Operation, Continued

Inspection (continued)

Steps	Action
6	Document the results of the field sobriety tests. Place results on the CG-4100S. • Document the instructions you gave the subject. • Identify the subject's performance of the tests. • Record your evaluation of his or her performance.
7	Conduct Blood Alcohol Concentration Test • Refusal to submit to a BAC is admissible as evidence in any administrative proceeding and may result in the termination of the voyage and the individual will be presumed to be intoxicated.
8	If the person is found to be intoxicated then: • Inform the operational commander. • Take appropriate law enforcement action.
9	Complete the boarding.

Communicate with and educate the boater

The objective of the BWI enforcement program is to ensure that an intoxicated operator does not operate a vessel, thereby reducing the threat of harm to self and to others.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(r) 46 U.S.C. 2302(c)/33 CFR Part 95 Intoxicated Operation, Continued

Optional local law enforcement documentation	Boarding officers should complete the Coast Guard boarding forms in all cases, including situations in which another agency ultimately takes the case over. For state/local prosecution, use of state and local forms is authorized to facilitate cooperation between the Coast Guard and state/local agencies, depending on local arrangements.
Enforcement/ documentation options	Recreational vessels Issue violation: • Terminate voyage, unless there is another adult passenger who is sober, willing and capable of operating the vessel and preventing the intoxicated operator from doing so, and there is no reason to bring the vessel to a mooring. • Detain operator to be turned over to local authorities. • Consult with your operational commander prior to arrest. Fishing vessels • Consult with your operational commander prior to termination. Commercial vessels • Coordinate with the OCMI/COTP.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(s) 33 CFR 177.05 Failure to Terminate

Requirements for failure to terminate	If an operator refuses to comply with a directive to terminate unsafe use of a vessel, then he/she can be cited for failure to comply with the directions of a Coast Guard boarding officer, specifically 33 CFR part 177, as well as for the specific violations which were the basis for the termination order.
Inspection	Factors necessary to cite an operator for failure to terminate are: • A directive from the boarding officer was given to terminate the operation of the vessel (and documented on a Form CG-4100) **and** either • the operator failed to terminate **or** • the operator resumes operations and the unsafe condition that was the cause of the termination still exists.
Communicate with and educate the boater	The operator had already been informed of the reasons the vessel was terminated. Restate the reasons why the vessel was terminated. Inform the operator of the consequences of the failure to obey the termination order.
Enforcement/ documentation options	If required for the protection of life or limb, the operator may be arrested for a violation of 46 U.S.C. 4308, termination of unsafe operations of a recreational vessel or a vessel carrying 6 or fewer passengers for hire.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(t) 46 U.S.C. 4308 Unsafe Conditions Creating an Especially Hazardous Condition:

(1) Overloaded Vessel (33 CFR 177.07)

Requirements for overloaded vessel	If a vessel has too little freeboard, more persons on board than rated, doesn't appear to be riding properly, etc., a determination must be made whether further operation constitutes "an especially hazardous condition." If not, do NOT terminate!
Inspection	Consider the vessel's size, stability and trim; the weather, sea state; time of day; operator experience, the condition of the operator and others on board. To determine if there are too many people on board a vessel less than 20 feet in length, refer to the vessel's Capacity Label or the formula: L x W/15.
Communicate with and educate the boater	Hazards of overloading a vessel include: • Difficult to maneuver the vessel in a safe manner. • Degrade the vessel's stability, susceptible to capsizing, or create situations where persons could fall overboard. • Reduced visibility for operator due to too many people.
Enforcement/ documentation options	A boarding officer observing certain unsafe or especially hazardous conditions is authorized to direct the vessel operator to take immediate and reasonable steps to correct the conditions, including a direction to proceed to a mooring and remain until the hazard is corrected or has ended. If you do terminate the voyage, attempt to reduce the hazardous condition by moving some of the people (and/or equipment) onto your vessel (if it is safe to do so), and towing or escorting the vessel to the nearest safe mooring.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(t) 46 U.S.C. 4308 Unsafe Conditions Creating an Especially Hazardous Condition:

(2) Manifestly Unsafe Voyage (33 CFR 177.07)

Requirements for manifestly unsafe voyage	Only the District Commander may designate a vessel as manifestly unsafe for a specific voyage on a specific body of water in accordance with 33 CFR 177.04. A vessel may be designated as "manifestly unsafe" for: • unsuitable design or configuration; or • improper construction or inadequate material condition; or • improper or inadequate operational or safety equipment. The order will outline the specific cause or reason for the manifestly unsafe determination.
Inspection	A vessel which is operated after the determination of an manifestly unsafe determination should be terminated. Any proposed vessel movement that seems to be unsafe should be reported through the chain of command. Examples include: • Cardboard box boats transiting a commercial waterway. • Open canoe attempting to cross the Pacific Ocean.
Communicate with and educate the boater	Advise the operator of the unsafe condition of the intended voyage.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(t) 46 U.S.C. 4308 Unsafe Conditions Creating an Especially Hazardous Condition:

(2) Manifestly Unsafe Voyage (33 CFR 177.07), Continued

Enforcement/ documentation options	• Report intended voyage through the chain of command for a determination of a manifestly unsafe voyage. • Terminate the voyage if the operator begins the voyage after receipt of the determination.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(t) 46 U.S.C. 4308 Unsafe Conditions Creating an Especially Hazardous Condition:

(3) Fuel Leak From Either Fuel System or Engine (33 CFR 177.07(c))

Requirements of fuel leak

If fuel is leaking from either the fuel system or the engine, then the boarding officer may terminate use of the vessel if, in his/her judgment, continued use of the vessel would create an especially hazardous condition (i.e., explosion or fire) and the unsafe condition cannot be corrected on the spot.

Inspection

- Inspect the fuel system and bilges during operation or note the presence of fuel in the engine compartment.
- If an excessive odor of fuel is present, look closer for the source of fuel.
- Also look for containers below fuel leaks.

NOTE

If the fuel leak is excessive, the boarding officer may direct the removal of personnel.

Communicate with and educate the boater

A fuel leak can cause either an explosion or uncontrolled fire. This is a particularly hazardous condition when on a boat.

The following precautionary measures should be taken anytime fuel is leaking from either the fuel system or the engine:

- Turn off the engine.
- Keep the spaces well ventilated.

Continued on next page

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(t) 46 U.S.C. 4308 Unsafe Conditions Creating an Especially Hazardous Condition:

(3) Fuel Leak from Either Fuel System or Engine (33 CFR 177.07(c)), Continued

Enforcement/ documentation options	The Coast Guard boarding officer will not allow a vessel's engines to be operated with a fuel leak. The vessel will be towed to the nearest safe harbor. If the condition can be repaired, a verbal warning may be issued. Note the particular violation on Form CG-4100 and provide additional reasons for the decision to terminate or issue a violation or warning on the Form CG-4100S. Include any comment about correcting the leak or condition if the vessel was not terminated.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(t) 46 U.S.C. 4308 Unsafe Conditions Creating an Especially Hazardous Condition:

(4) Accumulation of Fuel in Bilges (33 CFR 177.07(c))

Requirements	Follow guidance in previous topic, fuel leak. If the source of the fuel has been determined and corrected, then the spaces must be cleaned of the fuel and thoroughly ventilated.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(t) 46 U.S.C. 4308 Unsafe Conditions Creating an Especially Hazardous Condition:

(5) Hazardous Bars (33 CFR 177.07(b))

Requirements of actions for hazardous bars	Hazardous bars (operation of a vessel in a Regulated Boating Area under certain conditions) applies only to waters within the 13th Coast Guard District.
Inspection	33 CFR 177.07(b) prohibits operating in Regulated Boating area when wave height is 4 feet or greater or greater than wave height determined by a given formula when surface current is 4 knots or greater.
Communicate with and educate the boater	Advise the operator of: • the closure and the reasons for the closure, • the periods of closure, and • the method of notification for when operations can resume.
Enforcement/ documentation options	If the vessel proceeds through a bar that has been closed: • You may terminate if the operator does not intend to obey the closure notice. • You may cite or verbally warn the operator if the operator obeys your direction.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(u) 33 CFR 84-90 Navigation Rules

Requirements of navigation rules	All vessels, public and private, subject to U.S. jurisdiction, while on the high seas or in waters subject to U.S. jurisdiction, are subject to the International Navigation Rules ("Rules of the Road").
Inspection	These rules involve bridge operations, lookouts, position fixing, and maneuvering in the presence of other vessels. • Consider this regulation when investigating marine accidents or negligent or grossly negligent operations.
Communicate with and educate the boater	Advise the operator of U.S. Coast Guard Auxiliary and U.S. Power Squadron navigation classes. Violations of the rules of the road subject the operator to a civil penalty.
Enforcement/ documentation options	Document violation on form CG-4100 and CG-4100S. If the condition is not correctable (such as when the operator is totally unfamiliar with the navigation rules), consider terminating the voyage. A boarding officer observing certain unsafe or especially hazardous conditions is authorized to direct the vessel operator to take immediate and reasonable steps to correct the conditions, including a direction to proceed to a mooring and remain until the hazard is corrected or has ended.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(v) 33 CFR 155 Pollution Prevention Regs for Vessels

Requirements	No person may intentionally drain oil or hazardous material from any source into the bilge of a vessel. This violation may be a factor in the case where the discharge of an oily waste is alleged or observed and bilge water is the source of the oil sheen. This regulation is not clear on the required means of removal, or what equipment is required to discharge oily bilge slops to a reception facility. Although a bucket and sponge may be accepted as means of removing bilge slops, these are not required by the statute.
Inspection	Inspect the vessel's bilges and note any automatic bilge pump and the presence of excessive oil in the bilges.
Communicate with and educate the boater	The intent of this regulation is to prevent the accidental discharge of oil into the navigable waters. Refer to the oil pollution placard for violations and fines.
Enforcement/ documentation options	If the bilges contain oily waste and present the possibility of discharge or create an especially hazardous condition, consider recommending actions the operator could take to prevent the discharge of oil: • Disconnect the float. • Secure power to the bilge pump. • Manually remove oil. In this case the vessel should have means of storing waste oil.

2. Using references, for each of the following possible violations:

- **Demonstrate the ability to determine compliance (i.e., conduct vessel/equipment inspection)**
- **Communicate with and educate the boater**
- **Explain the enforcement/documentation options (i.e., warning, violation, termination)**

(w) 33 CFR 151 Dumping Garbage (MARPOL Annex V)

Requirements	• Discharge of plastic or garbage mixed with plastic into any waters is prohibited. • No garbage may be discharged within the navigable waters of the U.S. and, within all other waters, within 3 NM of the nearest land. • Local regulations may also apply.
Inspection	Any sightings or reports of vessels violating the garbage provisions of 33 CFR 151 should be reported through the chain of command to the cognizant COTP. Ask the operator how garbage is controlled on the vessel.
Communicate with and educate the boater	Knowingly violating the MARPOL Annex V is a Class D felony punishable by imprisonment of not more that 6 years and a fine of not more than $250,000 for an individual or $500,000 for an organization. Regulating of dumping of garbage is meant to avoid health hazards.
Enforcement/ documentation options	• Attempt to determine the source and secure, if possible. • Control the area. • Report the incident to the MSO/COTP. • Assist the MSO/COTP as directed by the operational commander. • If operator is identified, cite compliance failures during the course of a boarding on Form CG-4100 and CG-4100S. • Use judgment for verbal warning or violation. For example, if the operator was seen throwing a soda can overboard, then retrieves the trash, a verbal warning may be sufficient.

3. Complete the basic information blocks of the CG-4100 (Boarding Report).

Introduction	The Coast Guard Boarding Report (CG-4100) form is used to document the boarding and provide the operator with a list of any violations found. Guidance on completing the violations blocks is provided in the previous task question. The remaining blocks for basic information are discussed within this task.
Procedures for preparation of the CG-4100	Complete the form with a black ballpoint pen, legibly printing the required information. The form, a set with one original and three copies on pressure-sensitive paper, requires firm pressure for the printing to appear on all copies. The boarding officer must sign the completed form. If required information is omitted, an explanation should be included on the accompanying Supplemental Boarding Report (CG-4100S) form.
Guidance for completing CG-4100	The following provides the guidance needed to complete the basic information blocks of the CG-4100.
Date	Write the numerical equivalent for the month/day/year (e.g., July 4, 1997 is 07/04/97).
Boarding time	Refer to the local 24-hour clock using all four spaces (e.g., 1:40 a.m. is 0140). The time of boarding is the moment the first team member passes over the vessel's gunnel.
Case identification number	The unit conducting the boarding will normally leave this block blank. This block is completed by the district. The first two digits are for district identification, the third is for FWPCA and program use, digits 4 through 8 are for sequential serial numbers, and the final six numbers are for program use.

Continued on next page

3. Complete the basic information blocks of the CG-4100 (Boarding Report), Continued.

Vessel number	This is the Coast Guard or state number issued to the boat from the certificate of numbers or the official number from the vessel's certificate of documentation. Start at the left block. If you have blocks without a number, leave blank. Omit hyphens in the number.
Vessel name	Insert the name displayed and/or stated in the vessel's papers. Note in remarks of the CG-4100S form how the name is indicated. If none, then leave blank.
Hull identification number (HIN)	Boats whose construction began after 31 Oct 1972 are required to have a 12 character identification number affixed to the hull either outboard on the transom, or in the absence of a transom, on the starboard side nearest the end bearing the rudder or other steering mechanism. Enter the 12-character HIN in the blocks available. The last five spaces of this block are used only when the HIN exceeds 12 characters. If a HIN is not required, then leave blank.
Make and model	Enter the make and model of the vessel. For make, indicate manufacturer. For model, indicate manufacturer's model number, name, or code.
Model year	Enter the model year of the vessel as two digits (e.g., 1978 would be 78), which may be obtained from characters 9 through 12 of the HIN or from the vessel's papers.
Net tons	Enter the net tonnage from the vessel's certificate of documentation. If vessel is not documented, leave blank.
Feet and inches	Enter the overall length, usually found on the certificate of numbers. When the certificate does not reflect the length, or it is near lengths that would determine the difference in carriage requirements, then a measurement should be made. The measurement is the overall vessel length measured in a straight line from end to end, over the deck along the center line excluding bowsprit, sheer, deckhouse, and equipment.

Continued on next page

3. Complete the basic information blocks of the CG-4100 (Boarding Report), Continued.

Horsepower	Enter the total horsepower of the mechanical propulsion. Use only whole numbers to indicate horsepower. All fractions of horsepower must be entered as the lowest whole number (e.g., 7.75 is entered as 7, not 8).
Use	Circle the appropriate box. Indicate what the vessel was being used for at the time of boarding. Check equipment applicable for the circled use. If normal use is different from the use observed at the time of the boarding, note this use on the CG-4100S.
Persons on board (POB) and personal flotation device (PFD)	Enter appropriate number of adults and children on board and the number of corresponding PFDs. Water-skiers are to be counted as persons on board.
Type of boat	Enter the appropriate 3-letter vessel type code from the table on the inside cover of the CG-4100 pad. Circle the appropriate boxes pertaining to propulsion and hull material. Vessel types other than that listed on the table must be described on CG-4100S and "R" line of the SEER message.
Propulsion	Circle the appropriate boxes.
Hull material	Circle the appropriate boxes.
Engine compartment and fuel compartment	Circle the appropriate boxes. A compartment is considered "open" when spaces are opened to the atmosphere and entrapment of vapors and gases is not possible.
Construction	Circle the appropriate box. For the purpose of fire extinguishers and ventilation requirements, "open" construction is defined as when the fuel, machinery or other compartments and decking are open to the atmosphere, not allowing the entrapment of fuel vapors or gases. Permanently installed fuel tanks (including fuel tanks secured to the deck which cannot be easily jettisoned) constitute closed construction.

Continued on next page

3. Complete the basic information blocks of the CG-4100 (Boarding Report), Continued.

Flag	Enter the appropriate 2-letter flag code from the nationality table provided on the inside cover of the CG-4100 pad.	
Owner/operators name and address	Start at the left space: enter the last name, a space, then first name, a space, then middle initial. Circle the appropriate block for Mr. or Ms.. Enter the street address, city, state and zip code. Also enter the telephone number and date of birth. If owner was also the operator, leave operator section blank (with the exception of operator's courses and age blocks, see below). Blocks are provided for social security and driver's license number (and state for driver's license number). It is not mandatory to complete these blocks. *This information should be recorded only when given voluntarily and should <u>not</u> be specifically requested by boarding personnel.*	
Owner information and operator courses	Circle the appropriate boxes.	
Operator age	Enter the age of the operator if under 18.	
Observed in use	*Body of Water.*	Enter the charted or published name.
	City, State.	Enter the nearest city, town or village that can be found on a chart. Use standard postal abbreviations for states. *If the vessel is outside U.S. territorial seas and internal waters, enter the state only section block.*
	Activity	Enter the appropriate one-letter SEER code from the table provided on the CG-4100 inside pad cover to indicate the activity of the vessel at the time of its detection.
	Inland or COLREGS	Circle the appropriate block.
	Latitude and Longitude	Enter the vessel location at the time of its detection.

Continued on next page

3. Complete the basic information blocks of the CG-4100 (Boarding Report), Continued.

Observed in use (continued)	*Detailed Location*	Enter a bearing and range from a known (charted) geographical reference (at the time of it's detection).

Violations

Guidance on completing the violations blocks is provided in the previous task question. General comments are provided below.

- Circle box(es) for violation(s)/condition(s) observed.
- A factual description of each violation must be given on the Supplemental Boarding Report (CG-4100S) whether a citation is issued as a violation or a warning.
- Note action(s) taken by the boarding officer and directions issued to the operator to correct the condition(s) included on the CG-4100S.
- *Sunrise/Sunset (24 hour)*: The time of day (local 24-hour clock) should be noted for "Nav./Anchor Lts." (#117, which includes both lights and dayshapes) or "Negligent/Gross Operation" (#119) violations, and VDS carriage requirements (#118).
- *Document/Official Number* (#103) only applies to documented vessels.
- *USCGAux CME Decal*: If the vessel is displaying a Coast Guard Auxiliary CME (Courtesy Marine Examination) decal, circle "yes" and enter the year of the CME. If no CME is displayed, circle "no."
- *Law Enforcement Action Taken*: Enter the appropriate one-letter SEER code from the SEER code table provided on the inside cover of the CG-4100 pad for the *law enforcement action taken.*

No violation

If no violations are found, circle #133.

Warning issued

If a warning is issued, circle box 134. The warning section on the reverse side of the second page of the CG-4100 form must be explained (read) to the operator, and the boarding officer must sign on the line provided attesting to this notification.

Continued on next page

3. Complete the basic information blocks of the CG-4100 (Boarding Report), Continued.

"Other" violations	Violations not listed should be noted by circling the "other" box(es) (#122-125), specifying the requirements and correct CFR or U.S.C. in the "citation" space next to circled box(es). "Other" violations must be noted on an accompanying CG-4100S (Supplemental Boarding Report) form. Violation code for boating under the influence (BWI) infraction is not listed on the SABR code tables of the 4100 pads.
District	Enter the number of the appropriate district (e.g., 07).
Unit	Enter the name of the unit to which the boarding officer is currently attached.
Telephone number	Enter the commercial area code and telephone number of the unit to which the boarding officer is attached.
Boarding officer's name	Print the name of boarding officer.
Rank/rate	Print rank or rate of boarding officer.
Form CG-4100S prepared	This block is to be crossed out entirely, whether or not a CG-4100S is prepared.
Boarding officer's signature	The boarding officer signs in the space provided.
Unit assigned boarding number	The blank space to the left of the signature block may be used for an optional unit numbering system. If used, the same information must be recorded in the same space of any accompanying CG-4100S.

4. Complete the basic information blocks of the CG-4100S (Supplemental Boarding Report).

Introduction

The Supplemental Boarding Report (CG-4100S) form is intended to provide the hearing officer and unit CO/OIC with a detailed explanation of conditions and situations found during boarding operations. General procedures and discussion of the basic information blocks are provided within this task.

Procedures for preparation of the CG-4100S

A copy of the CG-4100S is not provided to the boater by the boarding officer, and *does not* need not be completed during the boarding; it should be completed as soon as possible after the boarding team has returned to its parent unit. It may be provided to the boater at a later date.

Complete the CG-4100S with a ballpoint pen, legibly printing the required information. The form, a set with one original and three copies on pressure-sensitive paper, requires firm pressure for the printing to appear on all copies. The boarding officer must sign the completed form.

The form has:

- 13 blocks for specific case identifying information
- A large lined area for remarks and comments
- A large unlined area for drawings, sketches or additional remarks

CG-4100S is used to:

- Describe *vessel types* other than those listed in the table on the CG-4100 pad.
- Explain omissions of required CG-4100 form information.
- Describe a vessel's normal use when that use is different from observed use.
- Provide a description (including drawings as appropriate) of observed violation(s), whether a citation is issued as a violation or as a warning. Specific remarks should address:
  a) Action(s) taken by the boarding officer, and
  b) Directions issued to the operator to correct the violation(s)/condition(s) observed.

Continued on next page

4. Complete the basic information blocks of the CG-4100S (Supplemental Boarding Report), Continued.

Procedures for preparation of the CG-4100S (continued)	CG-4100S may be used to document any information about the boarding, including intelligence information or level of cooperation encountered.
Guidance for completing CG-4100S	The following provides the guidance needed to complete the basic information blocks of the CG-4100S. Information in the blocks at the top and bottom of form CG-4100S should be identical to the corresponding blocks of form CG-4100.
Date	Write the numerical equivalent for month/day/year (e.g., July 4, 1997 is 07/04/97).
Boarding time	Refer to the local 24-hour clock using all four spaces (e.g., 1:40 a.m. is 0140). The time of boarding is the moment the first team member passes over the vessel's gunnel.
Case identification number	Leave this block blank. This block is completed by the district.
Vessel number	Coast Guard or state number issued to the boat from the certificate of numbers or the official number from the vessel's certificate of documentation. Start at the left block. If you have blocks without a number, leave blank. Omit hyphens in the number.
Vessel name	Insert the name displayed and/or stated in the vessel's papers. Note how the name is indicated in the "Description of Evidence of Violations and Additional Information" block. If none, then leave blank.
Hull identification number (HIN)	Enter the 12-character HIN in the blocks available. The last 5 spaces of this block are used only when the HIN exceeds 12 characters. If a HIN is not required, then leave blank.

Continued on next page

4. Complete the basic information blocks of the CG-4100S (Supplemental Boarding Report), Continued.

Description of evidence of violations and additional information

The following types of information should be entered onto CG-4100S in the "Description of Evidence of Violations and Additional Information" block:

1. Factual description of each violation (even if "corrected on the spot") whether a citation is issued as a violation or a warning.
   a. Remarks amplifying warnings or violations cited on the CG-4100 will be entered prior to any other information relating to the boarding.
   b. The warning/violation remarks must be formatted as follows:
      (1) Violation number from the CG-4100 violation block;
      (2) Violation code, from the table found on the inside cover of the 4100 pad; and
      (3) Remarks describing the violation in detail.

      For example: Starting on the first line of the remarks section "104 (BS) Number of PFDs were insufficient for the number of persons on board. The PFDs on board were still in original packages and inaccessible under cabin seats."
   c. Action(s) taken by the boarding officer and directions issued to the operator to correct the condition(s).
2. Any information relative to the boarding, including intelligence or level of cooperation encountered, may be entered on the lined area.
3. The open space provided under the lined area may be used for drawings, sketches, or additional remarks.

District

Enter the number of the appropriate district (e.g., 07).

Unit

Enter the name of the unit to which the boarding officer is currently attached.

Continued on next page

4. Complete the basic information blocks of the CG-4100S (Supplemental Boarding Report), Continued.

Telephone number	Enter the commercial area code and telephone number of the unit to which the boarding officer is attached.
Boarding officer's name	Print the name of boarding officer.
Rank/rate	Print rank or rate of boarding officer.
Boarding officer's signature	The boarding officer signs in the space provided.
Unit assigned boarding number	The blank space to the left of the signature block may be used for an optional unit numbering system. If used, the same information must be recorded in the same space of the accompanying CG-4100.

5. Explain the procedure for documenting a violation, criminal or civil, not listed using the CG-4100 and CG-4100S (i.e., using the "other" block).

Documenting violations

Complete the basic information blocks of the Boarding Report (CG-4100).

CG-4100 contains a list of frequently occurring violations. For violations not listed, circle the "other" box(es) (#122-125) and note the statute (CFR or U.S.C.) in the "citation" space next to each circled box.

All violations noted should be supplemented with information on the Supplemental Boarding Report (CG-4100S).

6. Explain the procedures and considerations used when:

(a) Issuing a Written Warning

Purpose of a warning

Written warnings are encouraged since their use saves staff time while still serving the purpose of educating vessel operators. Boarding officers may refrain from issuing a warning where a civil penalty would be more appropriate. The reason for issuing a violation should be included on the CG-4100S.

Procedures

To issue a written warning follow the procedure below:

Steps	Action
1	Tell the operator: • Specifically what was not in compliance. • A written warning is being issued. • The Coast Guard will keep a record of the boarding on file for one year. • What specifically must be done to correct the discrepancies before next use of the vessel. • The operator can appeal the warning within 15 days of issue.
2	Ask if the boater understands.
3	Complete the CG-4100. • Circle box 134. • Explain (read) the warning section on the back of the second page of the CG-4100 to the operator (the boarding officer must sign on the line provided attesting to this notification).
4	Give the operator the second page of the CG-4100 (form CG-4100S must be completed for all warnings, but is not provided to the vessel operator).

Continued on next page

6. Explain the procedures and considerations used when:

(a) Issuing a Written Warning, Continued

Considerations

Boarding officers are authorized to issue "on-the-spot" warnings to first offenders who indicate that the minor discrepancies will be promptly corrected.

Refrain from issuing a written warning when a civil penalty would be more appropriate. The reason for this decision must be included in your remarks on the CG-4100S.

When warnings may not be issued

Written warnings may not be issued when:

- The operator is required to be licensed,
- The violation is a failure to have required safety equipment on board,
- The boarding officer notes three or more violations during one boarding, or
- Non-warnable violations are found.

Warnable violations

The following chart lists the equipment item and offenses that are warnable for recreational vessels and uninspected commercial vessels.

Item	Warnable Offense
Numbers	• Invalid certificate of numbers; • No certificate of numbers on board; or • Numbers improperly displayed.
PFDs	• Not readily accessible. • Type IV not immediately available. • Not appropriate size(s). • Sufficient number, but not approved. • Sufficient number, but not serviceable.
Sound Producing Device	• Improper operation. • Not audible for required distance.

Continued on next page

6. Explain the procedures and considerations used when:

(a) Issuing a Written Warning, Continued

Warnable violations (continued)

Item	Warnable Offense
Bell	• Improper construction (boats less than 20 meters). • Clapper missing.
Fire Extinguishers	• Not readily accessible. • Not serviceable. • Not approved. • Inappropriate size.
Backfire Flame Control	• Not properly maintained. • Not approved. • Not serviceable.
Ventilation	• Installed, but minor discrepancy: * Temporarily blocked * Loose cowl * Loose ducting
Oil Pollution Prevention	• Placard not on board or not posted. • No portable means to remove oily waste from bilges, no oily waste present. • Oily waste present in bilges with no automatic bilge pump present, but means to remove oily waste is available.
Marine Sanitation Devices (MSDs)	• Not Coast Guard certified. • Improper operation.
Visual Distress Signals	• Not readily accessible. • Expired service date, within the last six months.
Navigation Rules	• Failure to have copy of Inland Navigation Rules on board.

6. Explain the procedures and considerations used when:

(b) Citing a boater for:

(1) A Violation

Purpose of a violation

The purpose of issuing a notice of violation is to:

- Record non-compliance on a boarding,
- Pass the findings to the hearing officer,
- Inform the boater of all discrepancies found, and
- Ensure the safety of ALL boaters.

When to issue a violation

A notice of violation MUST be issued under the following conditions of non-compliance for:

- Any offense, when the operator is licensed;
- Any license discrepancies;
- Documentation discrepancies;
- Certificate of inspection discrepancies;
- Three or more offenses;
- Failure to have certain required safety equipment on board (see 33 CFR 1.08); or
- Any non-warnable offenses.

Continued on next page

6. Explain the procedures and considerations used when:

(b) Citing a boater for:

(1) A Violation, Continued

Procedures

To issue a notice of violation:

Steps	Action
1	Tell the operator: • Specifically what was not in compliance, and that • Notice of violation for the items noted is being issued. • Do not mention the possibility of a warning if you are not issuing one.
2	Inform the operator a Coast Guard hearing officer will: • Review the notice of violation. • Notify the operator in writing of the results. • Tell what specifically must be done to correct the discrepancies before the next use of the vessel. The operator will have 30 days to respond to the hearing officer's letter.
3	Ask if the operator understands the process.
4	Complete form CG-4100. • Circle violations and conditions observed. • Note violations not listed in the "other" box and specify the CFR or U.S.C. in the space for citation.
5	Give the operator the first page of the CG-4100 form. • CG-4100S must be completed for all violations, but do not provide a copy to the vessel operator.
6	Do not offer an opinion as to what penalty action(s) the District will take on the violations.

6. Explain the procedures and considerations used when:

(b) Citing a boater for:

(2) Negligent Operations

Requirements	Refer to Task 2.(s), Negligent/Grossly Negligent Operation.

6. Explain the procedures and considerations used when:

(b) Citing a boater for:

(3) Grossly Negligent Operations

Requirements	Refer to Task 2.(s), Negligent/Grossly Negligent Operation.

6. Explain the procedures and considerations used when:

(c) Terminating the use of a:

(1) Recreational Vessel

Termination of a recreational vessel's voyage

Three conditions must be met before the use of a recreational boat can be terminated:

1. The boat must be operating with one or more of the specific unsafe conditions set forth by 33 CFR 177.07,
2. Continued use of the boat in unsafe condition(s) would have to create an ESPECIALLY HAZARDOUS CONDITION in the JUDGMENT of the boarding officer, and
3. The conditions cannot be corrected on the spot.

Orders for termination of use, except for manifestly unsafe voyages, can be issued only by commanding officers, officers-in-charge, and boarding officers. ONLY THE DISTRICT COMMANDER can designate a boat to be "manifestly unsafe" for a specific voyage on a specific body of water, and this must be accomplished by a special order.

An order of termination of use will be confirmed on the CG-4100, which will be given to the operator. Remarks describing the specific unsafe conditions, the precise time, and the identity of the boarding officer who ordered the corrective action, as well as any specific instructions which may have been given to the operator must be included on the CG-4100S form.

Task 2.(v) earlier in this chapter provides additional discussion.

Unsafe conditions

There are 11 specific "unsafe conditions" which may be used to terminate a recreational vessel:

1. Insufficient PFDs.
2. Insufficient fire extinguishers.
3. Inadequate flame control.
4. Improper ventilation for tank and engine spaces.
5. Inoperative navigation/anchor lights between sunset and sunrise.
6. Overloaded.

Continued on next page

6. Explain the procedures and considerations used when:

(c) Terminating the use of a:

(1) Recreational Vessel, Continued

Unsafe conditions (continued)

7. Fuel leak from either fuel system or engine.
8. Accumulation of fuel in bilges.
9. Manifestly unsafe voyage.
10. Boating while intoxicated.
11. Hazardous bars (i.e., operating in a Regulated Boating Area under certain wave and current conditions (13th Coast Guard District only)).

6. Explain the procedures and considerations used when:

(c) Terminating the use of a:

(2) Commercial Vessel

Termination of a commercial vessel's voyage

46 U.S.C. 4308 provides for termination of unsafe operations of some commercial vessels. Refer to Task 2.(v) earlier in this chapter and the discussion following within this section on a vessel carrying 6 or fewer passengers for hire.

The Commercial Fishing Industry Vessel Safety Act of 1988 gives Coast Guard boarding officers the authority to direct the individual in charge of a commercial fishing vessel to immediately take reasonable steps necessary for the safety of individuals on board the vessel if the boarding officer observes the vessel being operated in an unsafe condition that the boarding officer believes creates an especially hazardous condition.

The following practices are considered to be unsafe and may create especially hazardous conditions for individuals on board fishing industry vessels. A vessel found with one of these unsafe conditions, while operating (at sea), may be considered for termination by a Coast Guard boarding officer. Termination will result in ordering an individual in charge of a vessel to return the vessel to a mooring or dock until the hazardous condition is alleviated or corrected. This list does not exclude any other conditions which in the opinion of the boarding officer are "especially hazardous." The following list of unsafe practices is applicable to U.S. flag vessels that are commercial fishing, fish processing, or in a fish tendering operation.

- Operation without sufficient lifesaving equipment on board. This may include:
  - a) No personal flotation devices (PFDs) or required immersion suits on board, insufficient quantity of PFDs or immersion suits, or PFDs and immersion suits which are unserviceable.
  - b) No survival craft on board, insufficient survival craft capacity for the number of persons on board, or a survival craft in an unserviceable condition.

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6. Explain the procedures and considerations used when:

(c) Terminating the use of a:

(2) Commercial Vessel, Continued

Termination of a commercial vessel's voyage (continued)

- Operation without either an operable emergency position-indicating radio beacon (EPIRB) or radio communication equipment. Either or both may be required by the regulations. When both are required, then one must be operable. The intent is that there must be at least one means of communicating distress.
- Operation without adequate firefighting equipment on board.
- Excessive volatile fuel (gasoline or solvents) or volatile fuel vapors in bilges.
- Instability resulting from overloading, improper loading, or lack of freeboard.
- Inoperable bilge system.
- Intoxication of the operator, as defined in 33 CFR 95.020. Individuals operating vessels other than recreational vessels are considered to be intoxicated when they have an alcohol concentration of .04% by weight or more in their blood; or, the effect of the intoxicant(s) consumed by the individual on the person's manner, disposition, speech, muscular movement, general appearance or behavior is apparent by observation.
- A total lack of operable navigation lights during periods of reduced visibility.
- Watertight closures missing or inoperable.
- Flooding or uncontrolled leakage.
- Failure to have a currently endorsed Load Line Certificate, when required.

Failure to terminate

If an operator refuses to comply with an order to terminate unsafe use of a boat, then the operator can be cited for failure to comply with the directions of a Coast Guard boarding officer, specifically 33 CFR part 177, as well as for the specific violations which were the basis for the termination order. If required for the protection of life or limb, the operator may be arrested for a violation of 46 U.S.C. 4308 (Termination

Continued on next page

6. Explain the procedures and considerations used when:

(c) Terminating the use of a:

(2) Commercial Vessel, Continued

Failure to terminate (continued)

of unsafe operations of a recreational vessel or a vessel carrying 6 or fewer passengers for hire).

Task 2.(u) earlier in this chapter provides additional discussion.

Overloaded vessel

The following are a few of the hazards associated with overloading a vessel. Overloading a vessel will:

- Make the vessel more difficult to maneuver in a safe manner;
- Degrade the vessel's stability making it more susceptible to capsizing, or create situations in which the persons in the boat could fall over the side;
- Increase the probability of someone falling overboard if overloaded with too many people; too many people may also reduce the operator's visibility.

If a vessel has too little freeboard, more persons on board than rated, doesn't appear to be riding properly, etc., a determination must be made whether further operation constitutes an "especially hazardous condition". If not, do NOT terminate!

- If you do terminate, attempt to reduce the hazardous condition by moving some of the people (and/or equipment) onto your vessel (if safe to do so), and towing or escorting the vessel to the nearest safe mooring.
- Consider the vessel's size, stability and trim; the weather, sea state; time of day; operator experience, the condition of the operator and others on board. To determine if there are too many people on board, refer to the vessel's Capacity Label or the formula: L x W/15 (defined as length times width of vessel divided by 15).

Manifestly unsafe voyage

A vessel may be designated as "manifestly unsafe" for:

- Unsuitable design or configuration, or

Continued on next page

6. Explain the procedures and considerations used when:

(c) Terminating the use of a:

(2) Commercial Vessel, Continued

Manifestly unsafe voyage (continued)

- Improper construction or inadequate material condition, or
- Improper or inadequate operational or safety equipment.

A vessel designated as manifestly unsafe is only designated as such for a specific voyage on specific body of water; the same vessel may not be considered manifestly unsafe given different conditions.

Accumulation of fuel in the bilges

If fuel has accumulated in the bilges of any compartment other than a fuel tank, then the boarding officer may terminate use of the vessel if, in his/her judgment, continued use of the vessel would create an especially hazardous condition (i.e., explosion or fire) and the unsafe condition cannot be corrected on the spot. The following precautionary measures should be taken anytime there is an accumulation of fuel in any compartment other than a fuel tank:

- Turn off engine
- Keep well ventilated

The Coast Guard boarding officer will not allow a vessel's engines to be operated with an accumulation of fuel. The vessel will be towed to the nearest safe harbor.

NOTE: The boarding officer may direct the removal of personnel depending on the hazardous condition.

Fuel leak

If fuel is leaking from either the fuel system or the engine, then the boarding officer may terminate use of the vessel if, in his/her judgment, continued use of the vessel would create an especially hazardous condition (i.e., explosion or fire) and the unsafe condition cannot be corrected on the spot. The following precautionary measures should be taken anytime fuel is leaking from either the fuel system or the engine:

- Turn off engine
- Keep well ventilated

Continued on next page

6. Explain the procedures and considerations used when:

(c) Terminating the use of a:

(2) Commercial Vessel, Continued

Fuel leak (continued)

The Coast Guard boarding officer will not allow a vessel's engines to be operated with a fuel leak. The vessel will be towed to the nearest safe harbor.

If the fuel leak is excessive, the boarding officer may direct the removal of personnel.

Actions for hazardous bars

Hazardous bars (operation of a vessel in a Regulated Boating Area under certain conditions) applies only to waters within the 13th Coast Guard District.

Insufficient PFDs

An insufficient quantity of PFDs. If the PFD is unserviceable or the wrong size, the use of the vessel may not be terminated. If there is an insufficient quantity of PFDs, and continued use of the boat would create an "especially hazardous condition" in the judgment of the boarding officer, and the condition(s) cannot be corrected on the spot, then use of the vessel should be terminated.

IF	THEN
You do terminate,	You must attempt to reduce the hazardous condition by providing equipment or removing people (if it is safe to do), and then tow or escort the vessel to the nearest safe mooring.
You provide equipment, and are unable to escort,	Ensure the operator knows where to return the equipment.

Inoperative navigation or anchor lights

Vessels operating at night (between sunset and sunrise), or during periods of reduced visibility, are required to display the navigation/anchor appropriate for their vessel. If they are working, but the operator failed to turn them on, do not terminate. Terminate the voyage only if the navigation/anchor lights are inoperative between sunset and sunrise.

7. Complete a CG-4100, CG-4100S and supporting documentation for each of the following:

(a) Written Warning

Warning issued

To issue a warning:

1. Tell the operator:
   - Specifically what was not in compliance.
   - That you are issuing a written warning.
   - The Coast Guard will keep a record of the boarding on file for one year.
   - What specifically must be done to correct the discrepancy(ies) before next use of the vessel.
   - The operator can appeal the warning within 15 days of issue.
2. Ask if the operator understands.
3. Complete the CG-4100.
   - Circle box 134.
   - Explain (read) the warning section on the reverse side of the second page of the CG-4100 form must be explained (read) to the operator, and the boarding officer must sign on the line provided attesting to this notification.
   - Give the operator the second page of the CG-4100.
4. Complete the CG-4100S. Make an entry in the "Description of Evidence of Violations and Additional Information" block. Include a factual description of each warning (even if "corrected on the spot"):
   - Remarks amplifying warnings cited on the CG-4100.
   - The warning remarks formatted as follows:
     * violation number from the CG-4100 violation block;
     * violation code, from the table found on the inside cover of the CG-4100 pad; and
     * remarks describing the warning in detail.
   - Action(s) taken by the Boarding Officer and directions issued to the operator to correct the condition(s).

7. Complete a CG-4100, CG-4100S and supporting documentation for each of the following:

(b) Violation

Violation issued

To issue a violation:

1. Tell the operator:
   - Specifically what was not in compliance, and that
   - Notice of violation for the items noted is being issued.
   - Do not mention the possibility of a warning if you are not issuing one.
2. Inform the operator a Coast Guard hearing officer will:
   - Review the notice of violation.
   - Notify the operator in writing of the results.
   - Tell what specifically must be done to correct the discrepancies before the next use of the vessel.
   - State that the operator will have 30 days to respond to the letter.
3. Ask if the operator understands the process.
4. Complete form CG-4100.
   - Circle violations and conditions observed.
   - Note violations not listed in the "other" box and specify the CFR or U.S.C. in the space for citation.
   - Give the operator the first page of the CG-4100 form.
5. Complete form CG-4100S.
   - Make an entry in the "Description of Evidence of Violations and Additional Information" block. Include a factual description of each warning (even if "corrected on the spot").
   - Specify action(s) taken by the boarding officer and directions issued to the operator to correct the condition(s).
   - Do not provide a copy to the operator.

Continued on next page

7. Complete a CG-4100, CG-4100S and supporting documentation for each of the following:

(b) Violation, Continued

Other violations	To issue violations not listed on the CG-4100: 1. On CG-4100: • Circle the "other" box(es) (#122-125). • Specify the requirements and correct CFR or U.S.C. in the "citation" space next to circled box(es). 2. Fill in the CG-4100S noting "Other" violations.
No violation	Circle box 133 on the CG-4100. Give the operator the second page of the CG-4100.

7. Complete a CG-4100, CG-4100S and supporting documentation for each of the following:

(c) Termination

4100 and 4100S

When terminating the use of a vessel an order of termination of use will be confirmed on the CG-4100, which will be given to the operator. Remarks describing the specific unsafe conditions, the precise time, and the identity of the boarding officer who ordered the corrective action, as well as any specific instructions which may have been given to the operator must be included on the CG-4100S form.

All violations noted during the course of the boarding must be documented on the CG-4100 and CG-4100S forms.

7. Complete a CG-4100, CG-4100S and supporting documentation for each of the following:

(d) Negligent/Grossly Negligent Operations

(1) Observed

Procedure

Cite the operator for Negligent Operation as well as all other violations noted during the boarding. Forms CG-4100 and CG-4100S should provide the following information to support this type of citation:

- Date, time, and exact location of the incident.
- Name, address, and age of the vessel operator.
- Name and address of the vessel owner.
- Description of the offending vessel, including: vessel type, name and/or number, hull material, length of vessel, type of propulsion, color arrangement, rig.
- Weather.
- Visibility.
- Sea conditions.
- Wind conditions.
- Names and addresses of witnesses and statements concerning their willingness to testify.
- Proximity of bathers or other vessels.
- Attitude and conduct of the operator.
- Concise summary of injuries to persons or property.
- A brief, clear description of pertinent facts relative to the manner in which the vessel was being negligently or grossly negligently operated.

7. Complete a CG-4100, CG-4100S and supporting documentation for each of the following:

(d) Negligent/Grossly Negligent Operations

(2) Reported

Procedure

Have the complainant provide the information listed above in section 7.(d)(1) Observed Negligent/Grossly Negligent Operations. If there are additional witnesses, ask each of them to provide statements of what they observed.

1. If the alleged offender is still on scene, board the offender's vessel, and advise the operator of the alleged violation.
   a) Conduct a boarding.
   b) Cite the operator for Negligent Operation as well as all other violations noted during the boarding.
2. Go back to the complainant and obtain the report. Upon receipt of report attach the complainant's report and any statements from other witnesses to the CG-4100 and CG-4100S form.
3. If the complainant does not want to file the report:
   a) Cite the operator for any violations discovered during the boarding.
   b) Include a statement on the CG-4100S indicating the reason for the boarding (e.g., the initial report of negligent operation).

All information required for an observed negligent operation violation is required for a reported negligent operation violation. If the complainant did not include all required information in the report of the violation, interview the complainant to obtain the information needed to support the negligent operation violation.

8. Demonstrate the ability to collect, record, and report the information required to complete a:

(a) Sighting and Boarding Report (SABR)

SABR information	The reverse page of the unit copy (page 4) of the CG-4100 provides space for information needed to complete the SABR message.
Using the SABR code table	SABR code tables are located on the inside of the pad cover of both forms. The codes are applicable to various data blocks on both forms. The one-to-three letter abbreviations are used on the boarding forms.

8. Demonstrate the ability to collect, record, and report the information required to complete a:

(b) Tactical Query in LEIS II

LEIS II capabilities	LEIS II allows you to run standard law enforcement checks for both individual vessels and persons.
Database access	LEIS II accesses the following databases: • NCIC - National Crime Information Computer () • EPIC - El Paso Intelligence Center () Suspect Vessel • MSIS VDOCS - Coast Guard Marine Safety Information System Vessel Documentation System • LLOYDS - Lloyds of London Vessel Registry • SABR - Coast Guard Sighting and Boarding Report
Demonstrate capabilities	Access LEIS II and run a tactical query on the system. • Use the Law Enforcement Information System II User Manual for reference.

9. Explain to a boater the civil penalty process including:

(a) Distribution of copies of the CG-4100

(b) Who assesses the penalty

(c) Appeal procedures

(d) Correction of discrepancies

(a) Distribution of copies (CG-4100)

After completion of the CG-4100, the boarding officer hands the owner/operator a copy and distributes the remaining copies. Forms CG-4100S and CG-4100F (for fishing vessels), as well as any other forms or notes should be forwarded with the CG-4100 per the distribution guide on the CG-4100 pad.

Area cutters

Submit CG-4100 and CG-4100S to the district you are operating under.

No violations

Recreational Boats

Page	Description	Distribution
1	Original	District Office
2	White	District Office
3	Yellow	Boat Operator
4	White	Unit Copy

No violations

Commercial or Rental Boats

Page	Description	Distribution
1	Original	District Office
2	White	Boat Operator
3	Yellow	District Office
4	White	Unit Copy

Continued on next page

9. Explain to a boater the civil penalty process including:

(a) Distribution of copies of the CG-4100

(b) Who assesses the penalty

(c) Appeal procedures

(d) Correction of discrepancies, Continued

Warnings

All Vessels

Page	Description	Distribution
1	Original	District Office
2	White	Boat Operator
3	Yellow	District Office
4	White	Unit Copy

Violations and terminations

All Vessels

Page	Description	Distribution
1	Original	Boat Operator
2	White	District Office
3	Yellow	District Office
4	White	Unit Copy

Distribution of copies CG-4100S

The CG-4100S form should be forwarded with the CG-4100 form per the following distribution.

The operator does not receive the CG-4100S.

Page	Description	Distribution
1	Original	District Office
2	White	Unit Copy
3	Yellow	District Office
4	White	Unit Copy

Continued on next page

9. Explain to a boater the civil penalty process including:

(a) Distribution of copies of the CG-4100

(b) Who assesses the penalty

(c) Appeal procedures

(d) Correction of discrepancies, Continued

Violations on rental boats

If violations are noted on rented or livery boats, the name and address of both the owner and the operator should be obtained since one or the other may be responsible for a particular violation. Examine the lease agreement and include results on Form 4100S if violations were noted.

(b) Who assesses the penalty

The Regional Hearing Officer assesses civil penalties for recreational boating safety violations. It should be explained to the operator that he/she will receive a "Preliminary Letter of Assessment" if the Hearing Officer determines that a violation occurred.

Civil penalty process

Should civil penalty action be considered appropriate for the violations noted during a boarding, the Regional Hearing Officer will notify the operator or owner of the:

- Charges,
- Maximum penalties which may be assessed,
- The procedures used in assessing and collecting the penalty which may be assessed,
- The amount of penalty considered appropriate, and the
- Operator's rights.

An operator may request a hearing or provide written submissions in lieu of a hearing. Information or materiel that denies, explains, or mitigates the violation should be forwarded. If information is submitted instead of a hearing, the Hearing Officer will review the information to determine whether to assess a penalty, close the case without further action, remit or mitigate the penalty, or take action under the applicable statute/regulation.

Continued on next page

9. Explain to a boater the civil penalty process including:

(a) Distribution of copies of the CG-4100

(b) Who assesses the penalty

(c) Appeal procedures

(d) Correction of discrepancies, Continued

Civil penalty process (continued)	After the owner/operator has been provided notice and the opportunity to a hearing, the Hearing Officer will make his final determination and notify the party of the final decision. If the Hearing Officer determines a violation has been proved, the party will be notified of the amount of the penalty will be made.
(c) Appeal procedures	The owner/operator may appeal the civil penalty assessment to the Commandant of the Coast Guard within 30 days of receipt of the Hearing Officer's final decision.
Non payment of assessed penalty	If the penalty is not paid and/or no appeal has been made within 30 days, the Coast Guard may begin proceedings to collect the penalty through a Magistrate or U.S. District Court.
(d) Correction of discrepancies	Discrepancies should be corrected as soon as possible. Proof of corrections may be submitted to the District Commander to mitigate a violation. Unsafe conditions (i.e., violations which result in termination of a vessel's use) must be corrected before the owner/operator can get the boat underway.

Chapter 7
Conduct a Search of a Vessel

Overview

Introduction

This task describes the safe conduct of a vessel search, with due regard to the requirements for lawful inspections, searches, and arrests guaranteed by the Fourth and Fifth Amendments.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Explain the following:	7-B-1
(a) Articulable Suspicion	
(b) Search	
(c) Reasonable Expectation of Privacy	
(d) Probable Cause	
(e) Plain View	
2. Explain the limitations for:	
(a) Customs/Border Search	7-B-3
(b) Probable Cause Search	7-B-4
(c) Consent Search	7-B-5
(d) Administrative Inspection	7-B-6
3. Explain the consequences of an illegal search.	7-B-7
4. Conduct a systematic search of a vessel.	
(a) Discuss possible indicators of hidden compartments.	7-B-8
(b) Demonstrate the techniques for determining the presence of a hidden compartment.	7-B-9
5. Explain damage claim (SF 95) procedures to an operator.	7-B-10

Section A. Task Outline

Overview

Objective

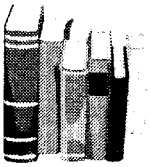
The objective of this task is to gain a full understanding of the safe and lawful conduct of a vessel search.

Policy

All USCG personnel involved in ELT operations should be fully familiar with conducting a search of a vessel.

All boarding officers are required to complete Task 2-07 of the Boarding Officer/Boarding Team Member PQS for initial qualification.

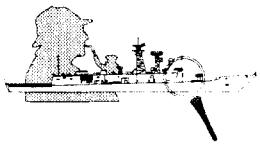
References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids

N/A



Section B. PQS Task 2-07 Conduct a Search of a Vessel

1. Explain the following:

(a) Articulable Suspicion

(b) Search

(c) Reasonable Expectation of Privacy

(d) Probable Cause

(e) Plain View

Articulable suspicion	Articulable suspicion may be defined as those specific and articulable facts, which, when considered with logical inferences drawn from those facts, and the officer's knowledge, training, and experience, would reasonably lead the officer to suspect criminal activity.
Search	A search is defined as "a quest for evidence of guilt by one acting in a governmental capacity involving an entry, intrusion, or encroachment into an area where a person may reasonably expect privacy."
Reasonable expectation of privacy	A reasonable expectation of privacy exists only if: • An individual actually expects privacy; and, • His or her expectation is reasonable. 4th Amendment protection from unreasonable searches is based on a two pronged test: • Is there an expectation of privacy by a person in the place where he or she is, or controls? • Is that expectation reasonable?

Continued on next page

1. Explain the following:

(a) Articulable Suspicion

(b) Search

(c) Reasonable Expectation of Privacy

(d) Probable Cause

(e) Plain View, Continued

Probable cause	Probable cause is a level of suspicion which would cause a reasonable and prudent person, given the overall circumstances, to believe a crime has been committed. Probable cause is a judgment call made by a law enforcement officer based on the officer's training, experience, and the analysis of the situation. Probable cause falls along the continuum of certainty between mere suspicion and conclusive proof.
Plain view	Plain view discovery is the finding of evidence made while *LEGALLY* intruding upon a reasonable expectation of privacy. There are a number of specific elements which must be met before an item can be seized under the Plain View Doctrine rule: • The law enforcement officer must be legally in the place from which the evidence can be plainly viewed; • The item must be in plain view; • The incriminating character of the evidence must be immediately apparent; and • Not only must the officer be lawfully in a place from which the object can be viewed, but the officer must also have the right of access to the object itself to make the seizure.

2. Explain the limitations of:

(a) Customs/Border Search

Limitations of a customs/border search	Customs/border search is a search conducted in waters subject to the jurisdiction of the Customs or at the functional equivalent of the border by an officer of the Customs in order to protect the U.S. border. Several standards must be met before this search can be conducted: 1. The vessel must be located in Customs waters; and 2. The vessel must have done one of the following: (a) Shown manifest intent to cross the border. (b) Have crossed the border. (c) Be suspected of smuggling.
Legal limitations	A border search should not be conducted unless the boarding officer can state the facts which support a certainty that a border was crossed. Everything on the vessel, including luggage, with the exception of the persons on the vessel, may be searched without probable cause, once it is determined that a Customs search is authorized.

2. Explain the limitations of:

(b) Probable Cause Search

Limitations of a probable cause search	Probable cause is more than mere suspicion but less than a certainty that something is so. Probable cause is required by the 4th Amendment to conduct a legal search. Probable cause is based upon all the facts and circumstances available to an officer, upon all the logical inferences that can be drawn from these facts, and upon any professional inferences drawn by the officer, provided the officer can present the basis for explaining them.
Legal limitations	The search must be restricted to: 1. The item(s) connected to the criminal activity; and 2. The spaces/areas where the item(s) could be located (i.e., elephant in a matchbox).

2. Explain the limitations of:

(c) Consent Search

Limitations of a consent search	A consent search which is undertaken on the basis of a voluntary agreement by a person with equal access to a space to allow a search of that space by one acting in a governmental capacity.
Legal limitations	Only those limitations placed on the officer by the person giving permission apply. If the limitations are unacceptable, the boarding officer must reconsider his options that will allow a legal search, or discontinue the search.

2. Explain the limitations of:

(d) Administrative Inspection

Limitations of an administrative inspection	An administrative inspection is focused on the purpose of the inspection, for example, safety and documentation requirements.
Legal limitations	Evidence found during an administrative inspection may not be admissible.

3. Explain the consequences of an illegal search.

Consequences of an illegal search	To ensure that the provisions of the 4th Amendment are not violated by those in positions of authority, the Supreme Court has adopted what is known as the "exclusionary rule." This rule basically says that whenever a person's 4th Amendment rights have been violated by an unlawful search, anything found as a result of that search will be excluded from being used as evidence against that person in any criminal prosecution.

4. Conduct a systematic search of vessel:

(a) Discuss possible indicators of hidden compartments.

Systematic search of a vessel

Make a plan. Even with a smaller vessel, a plan will ensure a thorough and complete search of the vessel.

- If the crew hasn't been mustered, do it; if weapons are suspected, frisk searches should be conducted.
- Follow the plan. Working in pairs, search team members must maintain contact and cover relationships at all times.
- Be thorough. Complete the search. Search all areas where the item(s) could be found, but only those areas where the item(s) might be found.

Signs of hidden compartments

A hidden compartment is a compartment built for the purpose of smuggling something into or out of a country illegally. The possible indicators of a hidden compartment are endless. Things that appear out of the ordinary should raise your suspicion. Perseverance and ingenuity are the keys, when looking for hidden compartments. The following is a list of possible indicators.

- Vessels carrying excessive amounts of fuel
- Paneling that has obviously been removed and replaced
- Inoperable engines
- Scratches in inappropriate areas
- Different types of screws in paneling
- Fresh fiberglass or paint or odors of fresh fiberglass or paint
- Manhole covers that have been recently removed
- The smell of diesel fuel and diesel fuel on deck
- Vessels riding unnaturally low in the water, and/or altered water lines
- Fresh welds or welding equipment
- Raised decks or excessively thick bulkheads

4. Conduct a systematic search of vessel:

(b) Demonstrate the techniques for determining the presence of a hidden compartment.

Techniques	Various techniques can be used to identify hidden compartments. Any unaccounted-for space can be identified using measurements, asking crewmen, taking soundings, or drilling an inspection hole.
Talk to crew	Crew unfamiliarity with the vessel or different answers to a question may indicate the presence of a false space.
Sound fuel tanks	Excessive drop in fuel in the fuel sounding tube when removing a gallon or so from a tank.
Measure interior spaces	• Abnormally thick bulkheads or unaccounted-for spaces. • Oddly shaped compartments without explanation.

5. Explain damage claim (SF-95) procedures to an operator.

Claim procedures

This claim is made any time there is damage which the Coast Guard has made to any part of the vessel during the course of the boarding. Ensure that the boater knows:

1. Any claim against the Coast Guard must be made within 2 years of the date of boarding.
2. SF-95 should be filled out completely (i.e., name, date, dollar, amount, etc.).
3. All supporting material (i.e., evidence of the damage and proof of value and /or cost of repair) must be enclosed with the claim form.
4. The claim form must be sent to the correct Maintenance and Logistics Command (MLC) office.

Additional information

If the boater has any questions regarding the form and/or procedures, he or she should be advised of the Boating Safety Hotline (1-800-368-5647).

Chapter 8
Arrest a Subject

Overview

Introduction

This task describes the Coast Guard's policy regarding an arrest during a boarding procedure.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Define arrest.	8-B-1
2. Explain the four elements of an arrest.	8-B-2
3. Explain when an arrest may be made for a misdemeanor and for a felony.	8-B-3
4. Explain when rights advice is issued.	8-B-4
5. Issue an Rights Advice.	8-B-5

Section A. Task Outline

Overview

Objective

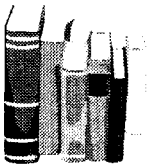
The objective of this task is to gain a full understanding of the definition and elements of an arrest, misdemeanor versus a felony, and the guidelines on Acknowledgment of Rights.

Policy

All USCG personnel involved in ELT operations should be fully familiar with arresting a subject.

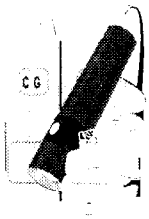
All boarding officers and boarding team members are required to complete Task 1-16, 1-17, 2-07, and **2-08** of the Boarding Officer/Boarding Team Member PQS for initial qualification and recertification every twelve months.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids



N/A

Section B. PQS Task 2-08 Arrest A Subject

1. Define arrest.

Arrest	Arrest is defined as the taking of a person into official custody to answer a criminal charge.

2. Explain the four elements of an arrest.

Arrest elements

The four elements of arrest, which must be present in order to effect an arrest, are:

1. *Authority* - in the officer to arrest.
2. *Intent* - of the officer to arrest.
3. *Knowledge* - on the part of the person to be arrested, either from direct communication or from circumstances, of the authority and of intention of the arresting officer.
4. *Compliance* - on the part of the person being arrested.

3. Explain when an arrest may be made for a misdemeanor and for a felony.

Definitions	Misdemeanor: • An offense less serious than a felony. Felony: • A serious crime, such as rape, burglary or murder, which is punishable by imprisonment for a term of more than one year.
Arrest for misdemeanor	Arrest is appropriate when a boarding officer has probable cause to believe that a misdemeanor is being committed in his or her presence.
Arrest for felony	Arrest is appropriate when the boarding officer has probable cause to believe a felony has been committed by a specific individual.

4. Explain when rights advice is issued.

Rights advice	You must advise a person of his or her rights advice prior to questioning an individual suspected of a crime when he or she is in your custody. During a boarding or when you are on board the suspect's vessel, give the rights advice when you have probable cause to arrest the suspect and you intend to question the suspect.
Subsequent to arrest	An arrestee need not be advised of his or her 5th Amendment rights if the arrestee is not subject to questioning. ("Questioning" includes any statement which is reasonably likely to elicit an incriminating response from the arrestee.) Rights advice must be given to an arrestee (any person, without regard to his or her nationality) when questioned about any illegal activity.
Issue warning before questioning	If the boarding officer intends to question the arrested persons, rights advice must be given and a valid waiver obtained before the interrogation. • A questioning is an act that is reasonably likely to elicit an incriminating response from the suspect. • A comment such as "it must have taken a long time to get stuff packed in so tightly" is likely to elicit an incriminating response. If the suspects had not yet been given Rights Advice, any incriminating statements made in response to this comment would be inadmissible. • Asking a suspect's name, age and residence does not constitute a questioning requiring an Rights Advice.

5. Issue Rights Advice.

Speak clearly

When giving rights advice, speak clearly. Do not rush.

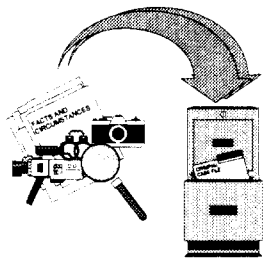
Use cards

Read from laminated cards provided by your unit. This reduces the possibility of missing an important aspect of the warning.

Look for verbal cues

If the subject does not appear to understand, pause and repeat the rights advice.

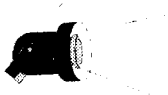
Steps	Action
1	You are suspected of [state the offense].
2	You have the right to remain silent.
3	Anything you say or do can be used against you in court.
4	You have the right to consult with a lawyer, and to have that lawyer present prior to and during any questioning.
5	If you desire a lawyer but cannot afford one, a lawyer will be appointed for you. If you desire a lawyer, all questioning will be terminated until you have been able to obtain and consult with a lawyer.
6	Whether or not you have a lawyer, you have the right to terminate questioning at any time.
7	Do you understand these rights?



Chapter 9
Prepare a Case File

Overview

Introduction

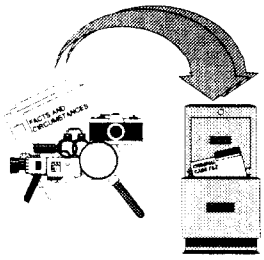


This task describes preparation of documentation and related procedures for successful prosecution of a case.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Gather statements and supporting case file documentation.	9-B-1
2. Complete a seizure tag.	9-B-2
3. Make an inventory of items taken from a seized vessel and arrestees.	9-B-4
4. Photograph the following: (a) Suspects (b) Evidence (c) Crime Scene	9-B-6
5. Fill out a photograph log.	9-B-7
6. Establish a chain of custody.	9-B-8
7. Document and transfer seized items and arrestees to another agency.	9-B-9
8. Sketch a crime scene.	9-B-10



Section A. Task Outline

Overview

Objective

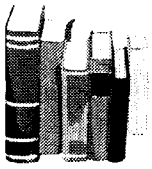
The objective of this task is to ensure that boarding team members properly prepare documentation at the crime scene and follow correct handling procedures so that the case can be successfully prosecuted.

Policy

All Coast Guard personnel involved in ELT operations should be fully familiar with the procedures for preparing a case file.

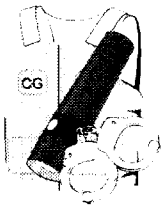
All boarding officers and boarding team members are required to complete Tasks 1-22, 1-23 and **2-09** of the Boarding Officer/Boarding Team Member PQS for initial qualification and recertification every twelve months.

References

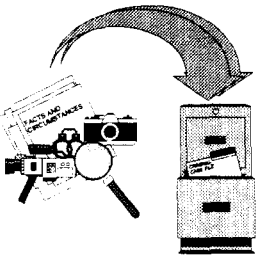


1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer/Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST M16247.3 (series)

Equipment aids



- Form CG-5117 (Seized property receipt)
- Form CG-4832 (Evidence tag)



Section B. PQS Task 2-09 Prepare a Case File

1. Gather statements and supporting case file documentation.

Gather statements	Refer to Task 1-23, Write a Statement.

2. Complete a seizure tag.

Seizure tag

Seizure tags assist in maintaining the chain of custody required for items of evidence:

- Each item seized as evidence in a case needs to be tagged.
- A record of all tags used should be maintained with the case file; if "logged," a copy of the log should be included with the case package.

Types of tags

There are two types of tags:

- CG-5117 (Seized property receipt)
- CG-4832 (Evidence tag)

CG 4832 is more versatile:

- Used for receiving items from another agency or for taking (seizing) items from an individual.
- Provides a better chain of custody section on the reverse side.
- Has the ability to assign a tag number that is more suitable to specific case identification.

Both types of tags list specific information to be filled in by the seizing officer:

- The perforated section on the right is the receipt to be given to the person from whom you are taking the evidence.
- The reverse side of each form contains a chain of custody. The seizing officer completes the first line.
- The next line on the reverse side is completed, as necessary, by the next person receiving custody.

Continued on next page

2. Complete a seizure tag, Continued.

Filling in tags

To fill out an evidence/seizure tag:

Steps	Procedure
1	Complete the front side of the evidence tag. • Fill in **all** blocks, including the receipt tag. • Tag numbers, unit assigned, should be unique and sequential. • All tags must be numbered.
2	Tag all evidence as it is received/taken. The boarding officer and a witness, generally the assistant boarding officer, must sign each evidence (seizure) tag.
3	Give a receipt for all property seized to the person from whom the property is seized. After the individual has signed for receipt of the property, the receipt may be placed with his or her personal property that is to be returned once he or she is turned over.

3. Make an inventory of items taken from a seized vessel and arrestees.

Inventory and documentation

Conduct a thorough *material* inspection of the vessel after it has been seized. The inspection is to assure the seaworthiness of the vessel, safety of personnel, and to preserve perishable evidence.

All evidence is to be tagged or marked, placed in containers, if appropriate, and held by the evidence custodian.

For large loads of drugs, only a sample is necessary for evidence.

All items of value and personal possessions are to be inventoried.

Post-seizure inventory

Results of the post-seizure inventory search are required to be documented and included as a part of the evidence package (it may be included in the witness statements). At a minimum:

- A narrative summary must be written, which notes conditions inconsistent with the vessel's purported activity, the vessel's situation, documentation and other papers; and
- A sketch of the vessel's layout must be made, indicating the location of the vessel's machinery, navigation and communications equipment, and readily observable evidence.

Seized vessel evidence

Almost anything on a seized vessel should be treated as potential evidence. Document the following matters:

Vessel Location. Determine position by all means available, and record. When possible, the boarding officer should personally verify position prior to boarding so that members of the bridge team are not necessary as witnesses.

Vessel Documentation. Conduct a complete examination of the vessel's documents or papers and record the information on the law enforcement checklist. The boarding officer must actually examine the main beam number or hull identification number to compare it with the vessel's documents or papers.

Documentary Evidence. Documentary evidence, such as charts and papers from the bridge of the seized vessel, is to be individually initialed and dated by the custodian and alternate.

Continued on next page

3. Make an inventory of items taken from a seized vessel and arrestees, Continued.

Seized vessel evidence (continued)

Evidence of Potential Use. Treat all evidence of potential use individually. Items such as caulking guns, tools, extra carpeting, coins, bottle caps, etc., may be useful in court. If something has potential evidentiary value, mark it or tag it.

Other items of value

In addition to the items seized as evidence, inventory all other items of value for safekeeping and accountability. This includes all electronic equipment, weapons, currency, or other high value items found on the vessel.

One copy each of the vessel inventory is distributed as follows:

- The unit case file
- With the vessel
- Attached to the law enforcement checklist

Personal belongings inventory

All valuables belonging to arrestees should be individually inventoried by the boarding officer. The inventory of each prisoner's personal effects should be made up in quadruplicate. One copy each of the inventory receipt is distributed for:

- The unit case file
- With the prisoner
- The receiving agency
- Attachment to the checklist

Clothing and luggage should be listed generally (e.g., one large gray Samsonite suitcase containing clothing, toiletries and misc. personal effects). High value items should be listed separately.

Use gloves when handling personal effects of an arrestee to prevent possible contamination or exposure of boarding team members to illicit substances (e.g., cocaine residue). Change gloves when handling each subject's separate set of personal belongings.

4. Photograph the following:

(a) Suspects

(b) Evidence

(c) Crime Scene

Photograph suspects

Photographs of the persons on board (POB) should show:

- All POB in a group shot aboard their vessel;
- The same group shot with the boarding officer in the field of view; and
- Individual photographs of each POB showing a full face, front view and side view.

The head should fill at least half of the field of view.

Each person photographed should wear a name tag or hold a board for easy identification.

Photograph evidence

Photograph evidence close up in its **original condition** and **place found**.

- Photograph the crime scene prior to collecting evidence.
- If it is necessary to have a size reference, take two photographs, one with a size reference and one without.

Do not remove or alter evidence until after rough sketches are drawn and photographs are taken.

Photograph crime scene

Crime scene photography provides a facts record and allows viewers to obtain a better understanding of the crime.

- Photograph all evidence and conditions that provide probable cause determination for search as well as arrest and seizure.
- Take as many photographs as necessary.
- Take photographs in series, from various points of view that present a general view, a medium view and close-ups (suspects, individual items) taken at varying distances.

5. Fill out a photograph log.

Photograph log

Photographs must be correctly and completely identified. Content, locations, the items, and persons involved in handling the evidence and other necessary information are needed to prove the photograph is a true representation of the facts. The following information is required for each picture taken:

1. Case number and negative film file number
2. The subject (i.e., what is it)
3. Where taken (location)
4. Time and date the photo was taken
5. Light source used
6. Distance from camera to the subject
7. Height of the camera from the ground
8. Kind of camera and type lens used
9. Type of film, shutter speed and lens setting
10. Name of person taking photographs
11. Name of witness
12. Brief remarks regarding the case

6. Establish a chain of custody.

Chain of custody

Establish the chain of custody and protect the integrity of evidence by the following:

1. Limit the number of people who handle the evidence from the time it is found to the time it is presented to the court.
2. If evidence leaves your possession:
   (a) Record in your notes to whom it was given, the time and date, and the reason for transferring custody.
   (b) Obtain a signed receipt from the person accepting the evidence.
   (c) Persons handling the evidence place their names on the package (tag).
3. When evidence is returned to your possession:
   (a) Record in your notes when and by whom it was returned.
   (b) Sign a receipt for the item.
   (c) Check your mark to ensure it is the same item.
   (d) Check the condition (note any changes in your notes).

7. Document and transfer seized items and arrestees to another agency.

Evidence packages

A complete evidence package should accompany the seized vessel, contraband, and boarding officer. Evidence packages should include a fully completed law enforcement checklist which serves as the case report.

Recordings of evidence

Retain originals of video, movie, and tape recordings on board the seizing unit until publication and distribution are ordered. Still photographs shall be developed in a timely manner. Send one copy to the prosecuting agency, one copy to district (ole), and retain one copy.

Transfer of seized items and arrestees

The seizing unit provides documentary and physical evidence to the prosecuting agency on arrival in port or when transferred to another unit. Steps include:

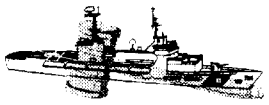
Steps	Procedure
1	Confirm the credentials of person(s) accepting the seized property and arrestees (there may be more than one agency involved).
2	Note on the personal effects receipts all personal effects taken for evidence; all evidence will go with the agency accepting the arrestees.
3	Document and obtain receipts for all seized property and arrestees. Seizure/evidence tags should note the change in custody.
4	Recover all Coast Guard property, including restraints, prior to the transfer of seized property and arrestees. If Coast Guard property can not be returned, obtain a receipt.
5	Forward copies of all statements, the law enforcement checklist, and documentary evidence to District (ole) and (dl). The original checklist should remain with the seizing unit.
6	The arrestees and seized property custodian should record all information regarding the transfer in his or her notes including: • To whom it was given; • Time and date; and • Reason for transferring custody.

8. Sketch a crime scene.

Sketch a crime scene

A rough sketch of the crime scene should be prepared in all cases involving vessel seizure and/or arrest of persons.

When to sketch	The sketch must be made after the preliminary search, but before the removal of evidence.
Scene recreation	• At sea, include the deck layout and interior spaces. • Dockside, sketch the adjacent area and immediate crime scene.
Point of reference	Indicate north or the bow on the sketch, whichever is applicable.
Measurement control	• Make all measurements accurately. Use a tape or rule, **not** shoe lengths. • Have measurements verified by someone else. • Locate all objects accurately. Do not use moveable objects as points of reference. • Record all measurements. • Do not clutter the rough sketch with measurements.
Items included	Include all essential items in the drawing.
Corrections	Make all sketch corrections at the scene.
Camera position	Note the position of the camera on the sketch when photographs are taken.
Identification and description	Identify objects with numbers or letters in the sketch, and describe in detail (size and position) in the notes.



Chapter 1
Authority And Jurisdiction

Overview

Introduction

This task explains the jurisdictional limitations of innocent passage, force majeure, hot pursuit, and constructive presence to brief boarding personnel properly on the scope of their authority.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Explain the jurisdictional limitations of:	
(a) Innocent Passage	1-B-1
(b) Force Majeure	1-B-3
(c) Hot Pursuit	1-B-4
(d) Constructive Presence	1-B-5

Section A. Task Outline

Overview

Objective

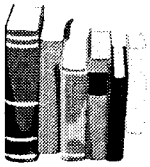
The objective of this task is to enable boarding personnel to verbally, or in writing, state the USCG's jurisdictional limitations of innocent passage, force majeure, hot pursuit, and constructive presence.

Policy

All USCG personnel involved in any aspect of ELT operations shall be fully conversant with Coast Guard Authority and Jurisdiction.

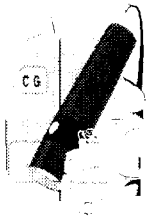
All boarding officers are required to complete Task 3-01 of the Boarding Officer/Boarding Team Member PQS for initial qualification and re-certification.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST 16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids



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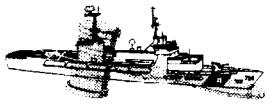


Section B. PQS Task 3-01 Authority and Jurisdiction

1. Explain the jurisdictional limitation of:

(a) Innocent Passage

Innocent passage defined	Continuous and expeditious traversing of the territorial sea without proceeding to or from internal waters or a port of a coastal nation. Passage includes stopping and anchoring, but only when incident to ordinary navigation or as rendered necessary by force majeure or distress or for the purpose of rendering assistance to persons, ships, or aircraft in danger or distress.
Jurisdictional limitations	The USCG may not interfere with a foreign vessel engaged in apparent innocent passage unless they are taking action prejudicial to the peace, good order, or security of the U.S., or if there is reasonable belief that they are engaged in any of the following activities: • any threat or use of force against the sovereignty, territorial integrity or political independence of the coastal State, or in any other manner in violation of the principles of international law embodied in the Charter of the U.N. (UNCLOS, Articles 18 and 19); • any exercise or practice with weapons of any kind; • any act aimed at collecting information to the prejudice of the defense or security of the coastal State; • any act of propaganda aimed at affecting the defense or security of the coastal State; • the launching, landing or taking on board of any aircraft; • the launching, landing or taking on board of any military device; • the loading or unloading of any commodity, currency or person contrary to the customs, fiscal, immigration or sanitary laws and regulations of the coastal State;

Continued on next page

1. Explain the jurisdictional limitation of:

(a) Innocent Passage, Continued

Jurisdictional limitations (continued)	• any act of willful and serious pollution contrary to the 1982 LOS Convention; • any fishing activities; • the carrying out of research or survey activities; • any act aimed at interfering with any systems of communication or any other facilities or installations of the coastal State; or • any other activity not having a direct bearing on passage. The passage must be continuous and expeditious, but stopping and anchoring are permitted insofar as this is incidental to ordinary navigation, or rendered necessary by force majeure or distress, or for the purposes of rendering assistance to persons, ships, or aircraft in danger or distress.
Boarding requirements	A Statement of No Objection (SNO) is required in order to board a foreign vessel claiming innocent passage.

1. Explain the jurisdictional limitation of:

(b) Force Majeure

Force majeure defined

Force majeure is a doctrine whereby a foreign vessel which is forced into the territorial waters of a coastal state by an overwhelming and unexpected event (natural or man-made, such as storm, fire, or disablement) subjecting a vessel to loss, or, person aboard to loss of life, or by the necessity for provisioning because of circumstances beyond its control, can enjoy immunity from those laws of the coastal state which would normally govern its movement (e.g., customs, immigration, port security, health laws), unless the purpose of the vessel's presence within the vicinity of the coastal State was to violate that State's laws. There is no immunity for new violations committed after the movement compelled by force majeure.

Example of force majeure

An injured crewman could possibly die if he does not get medical assistance or a hurricane is heading toward the vessel, etc.

Jurisdictional limitations

The United States Coast Guard may board the vessel for the purpose of evaluating the validity of claim by force majeure. The boarding may include such inspection as is necessary to confirm or refute the existence of the claimed emergency.

IF...	THEN...
the claim is determined to be valid, from the inspection or otherwise,	the immunity remains in effect until the emergency no longer exists.
the claim is not determined to be valid,	the vessel is immediately subject to all laws applicable to vessels making scheduled port calls in the United States.
at any time while under force majeure a vessel violates laws of the coastal state,	it forfeits its immunity and can be prosecuted.

1. Explain the jurisdictional limitation of:

(c) Hot Pursuit

Hot pursuit defined

The right of hot pursuit allows a warship (also, military aircraft and other authorized vessels and aircraft in government service) of a country to pursue a foreign vessel which has violated that country's laws within a maritime area over which it may exercise jurisdiction, and to arrest the vessel on the high seas.

Jurisdictional limitations

In order for the USCG to initiate hot pursuit of a foreign vessel, the vessel or one of its boats must be:

- Suspected of violating U.S. law in the U.S. jurisdictional waters (e.g., customs waters, EEZ).
- Visually/audibly signaled to stop while in our waters.
- Fleeing a pursuit commenced in U.S. jurisdictional waters.
- Fleeing from jurisdictional waters.

Once hot pursuit has been initiated, it can be maintained until the vessel is interdicted or:

- Continuous visual or radar contact is lost; or
- The pursued vessel enters another country's territorial sea.

If any of the previous conditions are missing, hot pursuit will not exist.

- Hot pursuit may be transferred from one government vessel or aircraft to another as long as contact is continuous.
- Once contact is lost or the pursued vessel enters a foreign country's territorial sea, hot pursuit must cease and cannot be resumed, even if contact is regained or the vessel returns to the high seas.

1. Explain the jurisdictional limitation of:

(d) Constructive Presence

The vessel being pursued

A vessel interdicted as a result of hot pursuit is subject to the jurisdictional limitations of the area where the pursuit began, even though the vessel is interdicted on the high seas.

Constructive presence defined

The doctrine of constructive presence allows a country to take law enforcement action against a foreign vessel (referred to as a mothership or hovering vessel) which uses its boat or another ship (referred to as a contact boat) to commit offenses within a maritime area over which that country may exercise jurisdiction while the foreign vessel remains on the high seas outside such areas.

Jurisdictional limitations

In order for the USCG to establish constructive presence to exercise law enforcement authority, these conditions must all be present:

1. A foreign vessel on the high seas being used as a **mothership** on the high seas;
2. A **contact boat in a maritime area over which the U.S. may exercise jurisdiction** (e.g., internal waters, territorial seas, contiguous zone, EEZ, or waters over the continental shelf) and **committing an act subjecting it to U.S. jurisdiction**; and
3. Good reason to believe that the two vessels are **working** or did work **as a team to violate U.S. law**.

It is imperative that some real connection be made between the contact vessel and the hovering vessel in U.S. waters. That real connection equates to a level of suspicion that approaches probable cause.

Chapter 2
Identify Personal Use Quantities Violations

Overview

Introduction

This task covers "simple possession" and personal use quantities guidance on controlled substances. Court summons forms are also discussed.

In this chapter

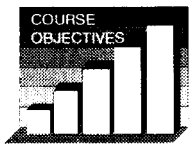
This chapter contains this information:

PQS Items	See Page
1. Explain the elements and limitations of a violation of 21 U.S.C. 844 (Simple Possession).	2-B-1
2. Explain the procedure to process a personal use quantities case in your area of responsibility.	2-B-2
3. Complete a Court Summons (Customs Form 364) for a:	
(a) Person	2-B-3
(b) Vessel	2-B-4
4. Complete a Summons to Appear (Customs Form 358).	2-B-5

Section A. Task Outline

Overview

Objective



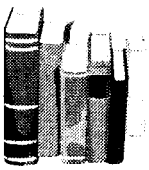
The objective of this task is to explain aspects of "simple possession" of a controlled substance and procedures for a personal use quantities case. Sample Customs Service forms for summons to appear and court summons, Customs Form 358 and Customs Form 364, will be filled out.

Policy

All Coast Guard personnel involved in any aspect of ELT operations shall be familiar with the Coast Guard personal use quantities policy.

All boarding officers are required to complete Task 3-02 of the Boarding Officer/Boarding Team Member PQS for initial qualification and recertification.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST 16247.1 (series)
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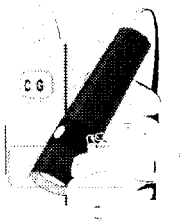
Equipment aids



- Customs forms 358 and 364

Section B. PQS Task 3-02 Identify Personal Use Quantities Violations

1. Explain the elements and limitations of a violation of 21 U.S.C. 844 (Simple Possession)

Elements of simple possession

Elements of simple possession of a controlled substance are:

- Within territorial jurisdiction of the U.S.,
- Knowingly or intentionally,
- Possess a measurable quantity, and
- A controlled substance (unless prescribed by a physician).

Limitations

Limitations include:

- Vessel and person within territorial waters: person subject to arrest.
- Beyond U.S. territorial waters: person subject to arrest if a border crossing is involved, or if there is probable cause to believe that the person exported, intended to import, or intended to distribute the drugs in the U.S.
- Vessel shoreward of the outer limits of customs waters (12 NM): vessel subject to actual or constructive seizure.
- Vessel seaward of customs waters (12 NM): vessel not subject to seizure unless independent indicators exist of intent to manufacture, distribute, import or export.

2. Explain the procedure to process a personal use quantities case in your area of responsibility.

Procedures for a personal use quantities case

Procedures to process a personal use violation:

Steps	Action
1	Contact operational commander for guidance. • Statement of No Objection is required prior to arrest and/or vessel seizure. • Check to see if vessel has been cited for previous personal use violations.
2	If within territorial or internal waters: • Persons may be arrested for possession. • Issue Customs Form 358 to the person in charge of the vessel.
3	If shoreward of the outer limits of customs waters: • The vessel may be seized. • Complete the boarding **or** complete the boarding and issue a summons to appear, Customs Form 358. • Issue the person in charge both the Notice of Personal Use Violation and the Notice of Expedited Forfeiture Procedures in Customs Form 364.
4	Coordinate vessel, prisoner, evidence transport and turnover via the operational commander.
5	Complete a law enforcement checklist for arrests or seizures; provide a copy of this checklist to the organization taking custody of the arrestees or the vessel.

3. Complete a Court Summons (Customs Form 364) for a:

(a) Person

Court summons Customs Form 364

Customs Form 364 has two notices:

1. Notice of Personal Use Violations must be issued to the master or person in charge of a vessel involving personal use quantities of a controlled substance.
2. Notice of Expedited Judicial Forfeiture Procedures must be issued to the master or person in charge of a vessel seized for any drug related offense.

Both notices are printed back to back on Customs Form 364. A copy of the form must be given to the person in charge of any vessel involved in a drug offense.

Customs Form 364 for a person

If personal use quantities are discovered and the vessel is going to be seized or a summons issued, both sides of Customs Form 364 must be completed:

Steps	Action
1	Check the appropriate box on the form (for type of vessel).
2	Enter the appropriate Customs Service District/Area director's address in the boxes provided on both sides of the form.
3	Give the form to the person in charge of the vessel.

A Summons to Appear, Customs Form 358, should be issued if the vessel is not subject to seizure.

3. Complete a Court Summons (Customs Form 364) for a:

(b) Vessel

Customs Form 364 for a vessel

IF...	THEN...
Personal use quantities are **not** involved	Only the side of the form entitled "Notice of Expedited Judicial Forfeiture Procedures" applies:
Personal use quantities are involved	Both sides of the form apply:

Steps	Action
1	Draw an "X" through the entire front of the form 'Notice of Seizure of a Conveyance for Personal Use Quantities of Controlled Substances'.
2	Enter the appropriate Customs District/Area director's address in the box provided on the form.
3	Give the form to the person in charge of the vessel.

Steps	Action
1	Check the appropriate box on the form.
2	Enter the appropriate Customs District/Area director's address in the boxes provided on both sides of the form.
3	Give the form to the person in charge of the vessel.

4. Complete a Summons to Appear (Customs Form 358)

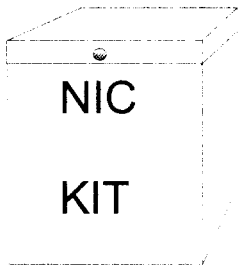
Summons to Appear (Customs Form 358)

The Summons to Appear form, Customs Form 358, is a 3-part form in sets of twenty-five, serially numbered in a compact pad. Prior to using the form insert the wrap-around cover under the serially numbered set that is being filled out to separate it from the following set. Instructions are:

Block	Information
1	Vessel name/numbers, and master's name.
2	Specific location of the appropriate Customs Service District.
3	Latest permissible date on which the master is to appear (at least 5 days after the boarding; the vessel's itinerary should also be taken into account).
4	Signature of the master (after the master reads the back of the form). Refusal to sign should be noted on the form. Refusal to sign by the person in charge of a recreational vessel could result in physical seizure of the vessel.
5-9	Self-explanatory.

Distribution:

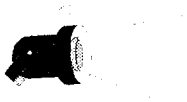
- Original (top, white) given to the master of the vessel.
- Second (pink) copy goes to the Customs Service district.
- Third (green) copy goes to the unit.



Chapter 3
Demonstrate Use of a Substance ID Kit

Overview

Introduction

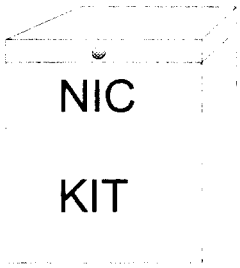


Boarding officers may encounter illegal drugs during the course of a boarding. They should be able to utilize common drug identification kits to provide presumptive evidence for a drug seizure.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Demonstrate the use of a substance field test kit following manufacturer's instructions.	3-B-1



Section A. Task Outline

Overview

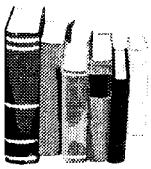
Objective

Boarding officers will be able to test controlled substances using a drug identification field test kit and will successfully identify substances according to the manufacturer's test charts. Field test may be simulated when samples of a controlled substance cannot be obtained.

Policy

A field test must be conducted on all suspected contraband. The boarding officer should, at some time, personally conduct a test so the number of witnesses for trial is kept to a minimum. This may be done prior to or subsequent to arrest.

References



Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids

- Drug identification field test kit
- Controlled substance(s) for testing
- Protective rubber gloves
- Flat toothpicks (or some other substance loading device)
- Small pieces of white absorbent paper

Section B. PQS Task 3-03 Demonstrate Use of a Substance ID Kit

1. Demonstrate the use of a substance field test kit following manufacturer's instructions.

Field test kits

The Coast Guard uses common drug identification kits to provide presumptive evidence for a drug seizure. Field test kits are used to determine whether or not there is reason to believe an unknown material is a controlled substance. These kits test controlled substances by color or color changes.

How it works

The drug identification kits employ chemical colorimetric comparison as the means by which narcotics and other controlled substances are screened and presumptively identified. Each test pack contains one or more chemical reagents which will predictably develop a color or series of colors in the presence of the most commonly known narcotics and dangerous drugs. When the predicted color reaction occurs while following the recommended test sequence, a positive identification is presumed.

Types of substances

The drugs usually encountered on a boarding are:

- marijuana
- hashish
- cocaine
- heroin

Continued on next page

1. Demonstrate the use of a substance field test kit following manufacturer's instructions, Continued.

Preparation of suspect material

The amount of suspect material needed to make a successful test will vary with the amount and purity of the material. This chart will give you guidance on the preparation and amount of material to conduct a test.

Substance	Method of Preparation
Capsules	Open the capsule, remove sufficient material for the test using a toothpick or other suitable device.
Compressed blocks/pieces	Possibly hashish. Cut or scrape the block to provide small flakes for testing.
Liquid	Spread on a non-porous surface, allow to dry. Scrape to provide material for testing.
Oils	A single drop of oil suspected of being hash oil is sufficient.
Plant	A pinch of dry, powdered plant material or 4-6 flakes of fresh plant material is sufficient.
Tablets	Crush tablet to a fine powder and measure the amount needed for each test.

Safety rules

1. Always follow manufacturer instructions.
2. Keep kit closed with clip except when inserting a suspected substance.
3. Always break ampoules in order from left to right.
4. Never directly test liquids.
5. Use protective rubber gloves when handling unknown substances.

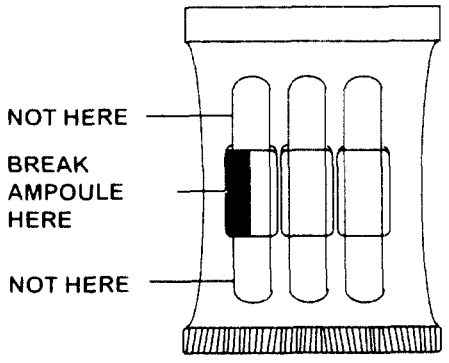
Continued on next page

1. Demonstrate the use of a substance field test kit following manufacturer's instructions, Continued.

Test procedures

These are the test procedures to test a substance:

Step	Procedure
1	Select proper test pack and remove clip.
2	Place just enough material on tip of toothpick.
3	Place sample in the test kit.
4	Reseal test pack by carefully replacing clip.
5	Tap pack on hard surface to drive sample to bottom.

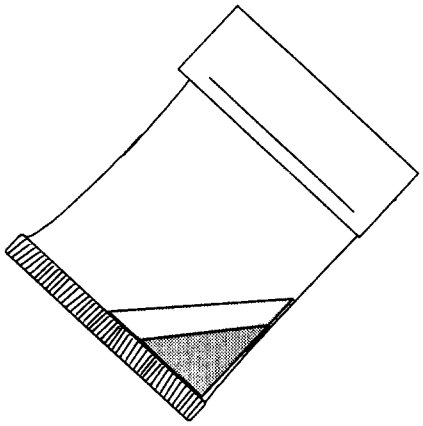


6	With print facing you, hold test pack upright, break ampoule(s) according to individual test instructions. Break each ampoule by squeezing the center of the ampoule with tips of thumb and forefinger. *Always break left ampoule first. DO NOT try to crush the broken glass.*
7	With the suspect material in the test pack and the reagents released, agitate (do not shake) according to individual test instructions.

Continued on next page

1. Demonstrate the use of a substance field test kit following manufacturer's instructions, Continued.

Test procedures
(continued)



6	Tilt test pack away from glass for a clear viewing area.
7	Observe kit for positive or negative results.
8	Before discarding used test pack, remove clip and add one measure of acid neutralizer. Do not reseal test pack until effervescence has stopped (approximately 2-3 minutes).
9	Reseal test pack with clip and discard.

Evaluate results

The colors produced are compared with those on the proper chart, generally no more than 60 seconds after breaking the final ampoule. Compare the resulting color or color changes to the color reference in the test kit charts. View test color results by holding test pack 2 to 3 inches away from a white background. Light must filter through test pack.

A negative result may be the lack of color change or the color layers being inverted. Another test should be conducted to verify this result.

Continued on next page

1. Demonstrate the use of a substance field test kit following manufacturer's instructions, Continued.

Testing liquids

This is the procedure for testing liquids:

Step	Procedure
1	Place a small piece of white absorbent paper in liquid to be tested.
2	Air dry the paper.
3	Insure that paper is dry.
4	Follow steps 3-9 of the test procedures on the previous pages.

Chapter 4
Demonstrate Boating While Intoxicated (BWI) Enforcement Procedures

Overview

Introduction

This task describes the Commandant's policy regarding BWI enforcement procedures.

In this chapter

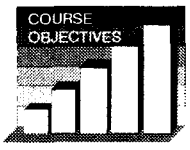
This chapter contains this information:

PQS Items	See Page
1. Present documentation certifying satisfactory completion of the required 8-hour Boating While Intoxicated instruction (COMDTINST 16247.5).	4-B-1
2. Complete a CG-4100 and CG-4100S and all other documentation required to properly document a BWI case as appropriate for your unit.	4-B-2

Section A. Task Outline

Overview

Objective



The objective of this task is to demonstrate knowledge of the identification of suspected BWI cases to ensure that an intoxicated operator does not continue to operate a vessel, reducing the threat of harm to self and others; and to educate the recreational boating public on existing BWI regulations and the requirements for safe boating.

Policy

Initial certification and recertification for BWI enforcement requires completion of an 8-hour course offered by the MLE School at RTC Yorktown or given by a qualified unit PQS Instructor at the unit level. The Unit PQS instructor must be:

1. Currently qualified as a boarding officer
2. MLES Boarding Officer Course graduate(after 1 September 1993)
3. Command designated

The Coast Guard will use field sobriety tests and a breath test which will be administered in the field using a breathalyzer. These aspects of BWI enforcement are contained in an 8-hour training, which is required every 24 months. Certification review must be done every 12 months.

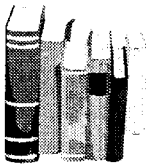
The Federal regulations promote cooperation between state and Federal law enforcement officers by making the applicable state blood alcohol content (BAC) standard, if one exists. The regulations also allow state prosecution of any BWI case initiated and documented by Coast Guard personnel.

This task is optional for Boarding Officer Certification. Commanding Officers and Officers in Charge should determine their requirements to have personnel trained in BWI enforcement, depending on the history or likelihood of apprehending an intoxicated boater in their operating area.

Continued on next page

Overview, Continued

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids

N/A

Section B. PQS Task 3-04 Demonstrate Boating While Intoxicated (BWI) Enforcement Procedures

1. Present documentation certifying satisfactory completion of the required 8-hour Boating While Intoxicated instruction (COMDTINST 16247.5).

Documentation requirements	You must have had the 8-hour BWI training within the last 24 months. Documentation should be in the form of a letter signed by the qualified PQS instructor or from the MLES at Yorktown, VA.

2. Complete a CG-4100 and CG-4100S and all other documentation required to properly document a BWI case as appropriate for your unit.

BWI identification This is the procedure used to determine if a boater is intoxicated:

Steps	Action
1	Identify the operator of the vessel. • Observe the subject operating the vessel controls.
2	Determine reasonable suspicion that the operator may be intoxicated. • Document initial suspicions on Form CG-4100S. * Observed the operator drinking (specify). * Observed negligent operations(specify). * Actions of vessel after the operator is told to stop (specify).
3	Document initial contact with the subject: • Odor of alcohol, specific in location and strength of the odor. • Description of the subject's face and eyes. • Description of the subject's speech (any slurring, etc.). • Subject's behavior (threatening, cooperative, silly). * Specify actions that caused your evaluation.

Continued on next page

2. Complete a CG-4100 and CG-4100s and all other documentation required to properly document a BWI case as appropriate for your unit, Continued.

BWI identification (continued)

Steps	Action
4	Ask pre-test questions and document results on the CG-4100S. • Do you have any physical defects? • Do you have any physical disabilities? • Do you have any defects in your feet, legs, ankles, or hips? • Do you have any defects with your eyes? • Are you sick or injured? • Are you under the care of a doctor or dentist? • Are you taking any medications or drugs? • How far did you go in school?
5	Administer the battery of field sobriety tests.
6	Document the results of the field sobriety tests. Note results on the CG-4100S. • Document the instructions you gave the subject. • Identify the subject's performance of the tests. • Record your evaluation of the performance.
7	If the person is found to be intoxicated, then: • Inform OPCON. • Take appropriate law enforcement action.

Required BWI documentation

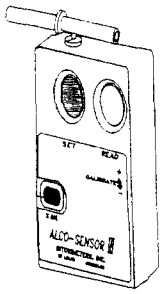
In all cases of alleged BWI violations, Form CG 4100 is to be completed with BWI violation statements noted on the CG 4100S.

- Cite violation 46 U.S.C. 2302(c) and 33 CFR Part 95 on Form CG-4100.
- Circle "Y" in the box at the bottom of the Form CG-4100 for Form CG-4100S prepared.

Continued on next page

2. Complete a CG-4100 and CG-4100S and all other documentation required to properly document a BWI case as appropriate for your unit, Continued.

Optional local law enforcement documentation	Boarding officers should complete the Coast Guard boarding forms in all cases, including situations in which another agency ultimately takes over the case. In addition, for the purpose of state/local prosecution, use of state and local forms is authorized to facilitate cooperation between the Coast Guard and state/local agencies, depending on local arrangements.



Chapter 5
Calibrate and Demonstrate Use of an Alco Sensor III

Overview

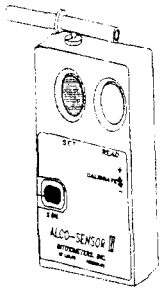
Introduction

The Alco-Sensor III is a pocket-sized breath alcohol testing device designed to read breath or estimate blood alcohol concentration (BAC). In order for the Alco-Sensor III to provide accurate BAC readings, calibration checks should be performed on a regular basis.

In this chapter

This chapter contains this information:

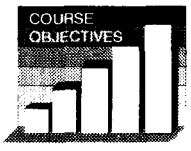
PQS Items	See Page
1. Conduct a calibration check of an ALCO Sensor III.	5-B-1
2. Calibrate an ALCO Sensor III.	5-B-4
3. Demonstrate the use of an ALCO Sensor III.	5-B-6



Section A. Task Outline

Overview

Objective

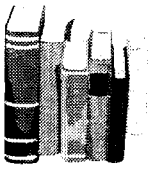


The objectives of this task are to demonstrate the ability to conduct a calibration check, an actual calibration of the Alco-Sensor III unit, and use an ALCO-Sensor III to test a subject's blood alcohol concentration.

Policy

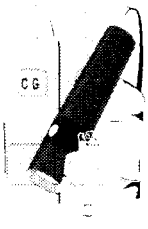
Boarding personnel responsible for conducting a BAC test with the Alco-Sensor III must be trained in the proper usage and must have completed Task 3-05 of the Boarding Officer/Boarding Team Member PQS for initial certification.

References

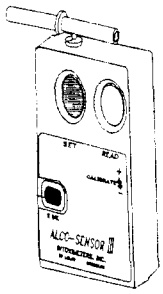


1. Alco-Sensor III Manual
2. Boarding officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids



- Alco Sensor III
- Calibration screwdriver
- Calibration standard equipment



Section B. PQS Task 3-05 Calibrate an Alco Sensor III

1. Conduct a calibration check of an Alco-Sensor III.

Frequency

- Weekly for the first month of service.
- Monthly from then on, provided the unit maintains calibration.
- After five positive tests in a short period of time.

Pre-calibration procedure

Before performing a calibration check on the unit you must run a blank to ensure there is no residual alcohol and the zeroing function inside does zero out the display. To run a blank follow these steps:

Steps	Procedure
1	Make sure SET button is depressed.
2	Depress READ button. The reading 000 should be seen for at least 7 to 10 seconds.
3	If above condition is not seen, depress SET button and recheck in one minute.
4	Check temperature strip on back of Alco-Sensor III. Any visible number verifies proper operating temperature.
5	Make sure SET button is depressed.

Continued on next page

1. Conduct a calibration check of an Alco-Sensor III, Continued.

Using the approved dry gas tank

One method of performing a calibration check is with the dry gas tank. Preparation procedures for using the approved dry gas tank are listed on the tank.

Steps	Procedure
1	Open the valve about two turns. Ensure that you have pressure readings on both gauges.
2	Press the release button on the regulator for 10 seconds. This discharges the stale residual gas that has been sitting inside the regulator since your last check.
3	Attach mouthpiece to end of regulator line.
4	Bleed regulator line by depressing button on regulator for approximately 7 to 10 seconds.
5	Attach mouthpiece with attached regulator line to Alco-Sensor III.
6	Depress button on the regulator for 5 seconds; on the 4th of the 5 seconds, depress READ button.
7	Remove mouthpiece from the Alco-Sensor III.
8	Results should be ±.010% of value marked on tank.

Continued on next page

1. Conduct a calibration check of an Alco-Sensor III, Continued.

Using the simulator

Another method of performing a calibration check is with a simulator. Preparation procedures for using a simulator are listed in the simulator manual.

Steps	Procedure
1	Verify that temperature on simulator is 34°C (±.2°).
2	Check ALCO-SENSOR III for readiness. • Depress and hold READ button for 10 seconds. • If digital display does not read .000, depress SET button for a few moments and check instrument again.
3	Attach mouthpiece to ALCO-SENSOR III and then to simulator.
4	Blow into inlet of simulator with a constant breath for 5 seconds. On the 4th of the 5-second count, press READ button.
5	Remove ALCO-SENSOR III and observe reading.
6	Results should be ±.010% of solution or as your program dictates.
7	If unit does not read within specifications, recalibrate it.

2. Calibrate an ALCO SENSOR III.

Calibration procedure

The materials need to calibrate the ALCO-SENSOR III are the ALCO-SENSOR III, calibration standard equipment and a calibration screwdriver.

Step	Procedure
1	Insert screwdriver in calibration screw located in hole on right side of unit.
2	Turn screw two full turns clockwise.
3	Attach calibration assembly to ALCO-SENSOR III.
4	Depress valve on tank for 5 seconds; on the 4th of the 5-second count, depress the READ button.
5	Remember to quickly remove the calibration assembly and insert the screwdriver in the calibration screw.
6	Carefully observe the reading. Once the reading surpassed the value marked on the tank or True-Cal, immediately turn the calibration screw counterclockwise until the value of the tank and the reading are once again the same. When the reading rises above the standard value, the screw should be turned back again to bring the reading back to the standard value. Eventually the value will stabilize. When the value holds for 5 seconds, the unit is calibrated.

Under no circumstances should the screw be turned clockwise to increase the number displayed by the ALCO-SENSOR III during this procedure. If during the first adjustment counterclockwise the reading is carried below the value of the tank, DO NOT bring the value back up by turning the screw clockwise. Wait and see if the reading rises to the desired value. If it rises past the desired value, bring it back down to the desired value again by turning the screw counterclockwise.

7	Once you are satisfied with the reading, depress the SET button.
8	Verify calibration using steps 1 through 7 above. The reading should fall within .003 if the calibration was done properly.

Continued on next page

2. Calibrate an ALCO SENSOR III, Continued.

Recording results	Results of the calibration ad testing should be recorded in the calibration log. A copy of the log information will be required when your case goes to a hearing.

3. Demonstrate the use of an Alco Sensor III.

Test considerations

The items listed below must be considered before administering the Alco Sensor III test to an individual.

- Temperature of the unit
- 5-minute wait time between tests
- Radio frequency interference
- The five test rule

Temperature of the unit

To give the most accurate reading, the Alco Sensor III temperature should read between 20 and 440 degrees Celsius (66 to 100F).

If the temperature is:	Then:
Colder than 20°C (66°F)	Place the unit in your pocket for 15 minutes to warm it.
Warmer than 40°C (100°F)	Place the unit in your pocket for 15 minutes to cool it.

Wait time between tests

Before administering the Alco Sensor III test the subject must not eat, drink, or ingest any substance in or out of the mouth. This is done to ensure that residual alcohol in the mouth will not give a false reading of the subject's BAC.

Any use of tobacco products within five minutes of testing will damage the fuel cell.

Radio frequency interference

Transmitting of any radio equipment in the vicinity during the taking of a breath sample will result in a spike reading until the transmission is ended.

Do not transmit on any radio equipment while administering an Alco Sensor III test.

The five test rule

The Alco Sensor III can not complete more than five positive tests per hour without re-calibration or a wait of three to six hours.

Five or more positive test results causes a loss of sensitivity of the fuel cell and a lower than normal BAC reading.

Continued on next page

3. Demonstrate the use of an Alco Sensor III, Continued.

Administering the Alco Sensor test

Use the following procedure for administering the Alco Sensor III test.

Step	Procedure
1	Ensure that the subject has not ingested anything for 15 minutes prior to the test
2	Check the temperature of the unit; if low, warm for 15 minutes.
3	Record on the Field Sobriety Test (FST) sheet: • Temperature of the unit • Serial number of the unit • Calibration date of the unit
4	Affix the mouthpiece to the unit.
5	Press the READ button for 10 seconds. • If a reading of .000-.003 is displayed, go to next step. • If a reading higher than .003 is displayed, press SET, wait two minutes and repeat step 5.
6	Let a boarding team member witness the reading.
7	Press SET.
8	Instruct subject to take a deep breath and blow steadily through the mouthpiece for at least five seconds.
9	After three seconds press READ button and hold.
10	Show the maximum reading to a boarding team member and record the reading on the FST sheet.
11	Press SET.
12	Store the unit with the SET button depressed to expedite cleanup of the fuel cell. It is best to store the unit upright at room temperature.

Chapter 6
Respond to an Asylum Request

Overview

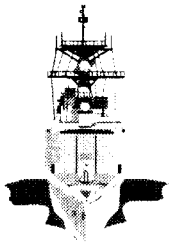
Introduction

Coast Guard personnel may become involved in situations where foreign nationals request asylum. This task covers the initial procedures and actions to take in such situations.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Describe the procedure to follow after receiving an asylum request.	2-B-1
2. Describe what actions may be taken to protect an asylum seeker in the following situations: (a) On a U.S. vessel (b) On a U.S. vessel in foreign territory (c) On a foreign vessel on the high seas (d) On a foreign vessel in U.S. territory	2-B-3



Section A. Task Outline

Overview

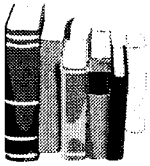
Objective

The objective of this task is to describe procedures to follow after receiving an asylum request, including what actions may be taken to protect the asylum seeker.

Policy

Both within the U.S. and abroad, foreign nationals who request asylum of the U.S. government, owing to persecution or fear of persecution, should be given full opportunity to have their requests considered on their merits. The request for asylum or temporary refuge shall not be arbitrarily or summarily refused by U.S. personnel. Due to the wide variety of circumstances that may be involved, each request must be dealt with on an individual basis taking into account humanitarian principles, applicable laws, and other factors.

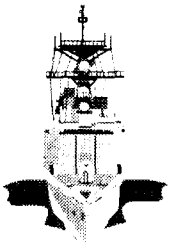
References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)

Equipment aids

N/A



Section B. PQS Task 3-06 Respond to an Asylum Request

1. Describe the procedure to follow after receiving an asylum request.

Procedure after receiving an asylum request

Upon receipt of a request for asylum from a foreign national or an indication that a request from a foreign national is imminent:

1. Provide protection for the asylum seeker **as necessary** and appropriate.
2. Contact the operational commander immediately for direction. Be prepared to provide as much of the following as is possible:
   a. Name and nationality of the asylum seeker.
   b. Date and place of birth, and occupation.
   c. A description of any documentation.
   d. What, if any, foreign authorities are aware of the asylum request.
   e. The specific circumstances surrounding the asylum request.
   f. Exact location. If aboard a vessel, estimated time of arrival at next port of call.
   g. Reason for claiming asylum.
   h. Description of any criminal charges known or alleged to be pending against the asylum seeker.
   i. Any Communist Party affiliation or affiliation with any other political party; any government office now held or previously occupied.

Continued on next page

1. Describe the procedure to follow after receiving an asylum request, Continued.

The initial report must not be delayed pending development of the above information.

News media

No press release will be issued by any U.S. agency in the United States or abroad concerning asylum being sought.

An acknowledgment may be made to the press that a request for asylum has been received and that the request is under consideration in Washington, DC, if this is applicable and is consistent with security and local considerations. The Department of State should be notified immediately of any such acknowledgment.

2. Describe what actions may be taken to protect an asylum seeker in the following situations:

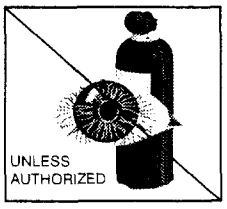
(a) On a U.S. vessel

(b) On a U.S. vessel in foreign territory

(c) On a foreign vessel on the high seas

(d) On a foreign vessel in U.S. territory

Asylum seeker on a U.S. vessel	Safe protective custody **will** be provided to the asylum seeker. Only the minimum force necessary to protect the asylum seeker from forced repatriation is authorized.
Asylum seeker on a U.S. vessel in foreign territory	Immediate temporary refuge for *humanitarian* reasons **may** be granted in extreme or exceptional circumstances where the life or safety of a person is in danger, such as pursuit by a mob. The degree of protection or level of force utilized will be at the discretion of the senior officer present.
Asylum seeker on a foreign vessel on the high seas	When the asylum seeker is on board a foreign vessel on the high seas (i.e., outside U.S. jurisdiction), only that protection authorized by Coast Guard's use of force policy as it pertains to self-defense may be used, unless a Statement of No Objection is obtained specifically authorizing assistance to asylum seekers.
Asylum seeker on a foreign vessel in U.S. territory	Safe protective custody **will** be provided to the asylum seeker. Only the minimum force necessary to protect the asylum seeker from forced repatriation is authorized.



Chapter 7
Use of a Chemical Irritant

Overview

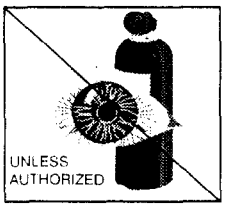
Introduction

This task provides the Coast Guard's training required before a boarding team member is authorized to carry and use a chemical irritant.

In this chapter

This chapter contains this information:

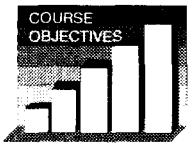
PQS Items	See Page
1. Explain when the use of a chemical irritant is appropriate.	7-B-1
2. Discharge an inert substance at the facial area of a silhouette target within five seconds from a distance of no less than four feet.	7-B-2
3. Be exposed to the O.C. chemical irritant you will be carrying.	7-B-9
4. Demonstrate first aid procedures to treat an exposed subject.	7-B-10



Section A. Task Outline

Overview

Objective



Without references, students will be able to verbally and in writing state policy or demonstrate the appropriate use of Oleoresin Capsicum (O.C.) spray.

The student will also be subjected to O.C. spray and will be expected to defend their weapon.

Policy

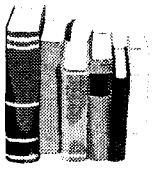
The use of chemical sprays may cause severe physiological damage and is considered a Level 4 use of force. Chemical irritants should never be relied upon as an alternative to adequate training in the use of non-deadly force techniques.

Carrying chemical irritant is optional at the boarding team member's discretion with approval of the unit CO/OIC.

The only chemical irritant authorized for Coast Guard use is Oleoresin Capsicum (O.C.) spray. The mixture of O.C. shall be no greater than 10% and no less than 5%. The spray must have a water based carrier, a straight stream delivery, be non flammable and non toxic.

Members carrying chemical irritants must receive training by a certified instructor and exposed to O.C.

References

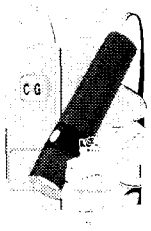


1. Maritime Law Enforcement Manual (MLEM), COMDTINST 16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)
3. Material Safety Data Sheet (MSDS) for O.C. pepper spray in use at your unit

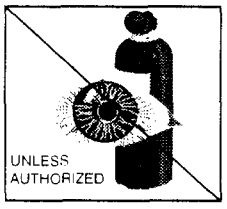
Continued on next page

Overview, Continued

Equipment aids



- Students in boarding uniform
- O.C. spray pouches for holster belt
- Inert O.C. cans (1 per student)
- Silhouette targets (1 per student)
- Stopwatch
- Charged O.C. can
- Cotton swabs (1 per student)
- Kick pads
- Fresh water for eyewash
- Towels or napkins



Section B. PQS Task 3-07 Use of a Chemical Irritant

1. Explain when the use of a chemical irritant is appropriate.

Necessary level of force	Use of a chemical irritant is a hard control technique and is appropriate when Level 4 use of force is needed to compel compliance from an active aggressor or active resistor.
Effective range	The spray is effective only within a range of 4-10 feet, and particularly effective with multiple aggressors.
!	Be careful of use in close compartments or on windy days because of possible spray back.
Carriage requirements	Carrying chemical irritant is optional at the boarding team member's discretion with the approval of the unit CO/OIC. If chemical irritant is carried on the weapons belt, it will be along with the expandable baton, NOT in place of it. (MLEM E-6)
Training requirements	USCG personnel are required to be qualified in the application and also the decontamination procedures for O.C. aerosol prior to carrying of the authorized chemical irritant. (MLEM E-16)
Reporting requirements	A report is required within 30 days after use of a chemical irritant, via the chain of command, to COMDT (G-OPL), with copy to MLE School. Include a summary of the facts, opinions, recommendations, and lessons learned. (MLEM 4-N-1.b.)

2. Discharge an inert substance at the facial area of a silhouette target within five seconds from a distance of no less than four feet.

The "Four Ss" of O.C. usage

Shake

- Shake container immediately after drawing to ensure O.C. and carrier are mixed.

Shout

- Use verbal command to divert the aggressor. Verbal commands should be short and loud.
- Use "O.C." or "SPRAY" to alert other boarding team members.

Short Burst

- The maximum effect will occur when the O.C. atomizes into a cloud of fine droplets.
- Over-spraying does not allow the carrier to evaporate, which delays the effects of the O.C.
- Extra caution should be used when spraying the straight stream due to the risk of severe eye damage.

Shuffle

- Immediately shuffle to the side, or to the inside position. Subjects may keep attacking, even with their eyes closed.

Effective range

The effective distance for spraying is between 4 and 10 feet. Within 4 feet you are more apt to be splashed with your own spray. The propellant charge loses its effectiveness beyond 10 feet, affecting your aim, especially out of doors where wind may be present.

Be aware of lingering residue on aggressors if you must come in close contact with an individual who has been sprayed.

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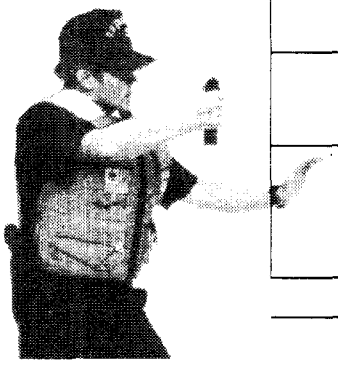
2. Discharge an inert substance at the facial area of a silhouette target within five seconds from a distance of no less than four feet, Continued.

Single aggressor



Steps	Action
1	Carry spray canister with the actuator up.
2	Draw canister from pouch with either the weapons hand or reaction hand and placed in the weapons hand and cupped in that palm, with the thumb on the actuator.
3	**Shake** container immediately after drawing to ensure O.C. and carrier are mixed.
4	Place thumb of weapon hand on actuator.
5	From the high guard stance, bring the spray to eye level and the reaction hand down to mid level.
6	Keep the spray in between your body and reaction hand to prevent the likelihood of being disarmed of the spray.
7	**Shout** verbal commands to the aggressor prior to using the spray. Include the words **"O.C."** or **"Spray"** to alert other boarding team members.

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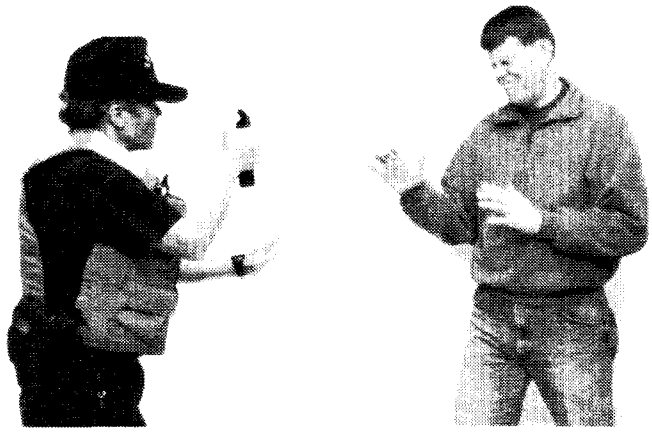
2. Discharge an inert substance at the facial area of a silhouette target within five seconds from a distance of no less than four feet, Continued.

Single aggressor
(continued)



8	Aiming over the top of the actuator fire **short burst** directly into the face and eyes of the aggressor.
9	Hold actuator for 2 seconds.
10	Immediately **shuffle** to the side, or to the inside position.

- The spray can also be fired from mid-level by bringing the reaction hand to chin level and the spray down to mid-level.
- Fire a short burst directly into the face. Use a longer burst when firing the spray in windy conditions.
- Be aware of the possible impact on other boarding team members in the area.

Continued on next page

2. Discharge an inert substance at the facial area of a silhouette target within five seconds from a distance of no less than four feet, Continued.

Multiple aggressors

Steps	Action
1	Spray using a side-to-side sweeping motion into the faces of the aggressors.
2	Continue verbal commands and defensive movement.
3	Attempt to position yourself to keep aggressors from shielding themselves behind one another.

Charging aggressor

Steps	Action
1	Side step and move out of the inside position to evade the charging aggressor.

Continued on next page

2. Discharge an inert substance at the facial area of a silhouette target within five seconds from a distance of no less than four feet, Continued.

Charging aggressor (continued)

2	Turn and face the aggressor.

3	Spray short burst into the face.

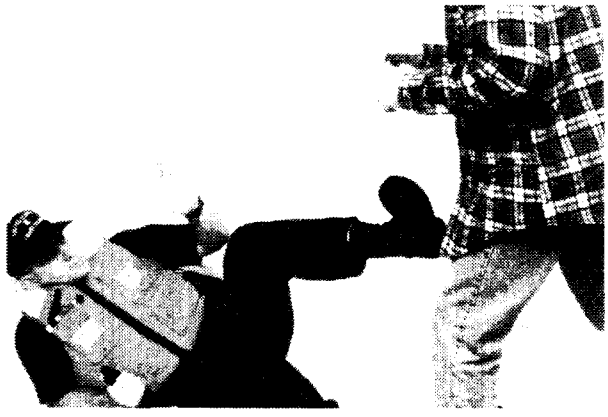
Continued on next page

2. Discharge an inert substance at the facial area of a silhouette target within five seconds from a distance of no less than four feet, Continued.

Charging aggressor (continued)

4	Issue verbal commands and continue defensive movement.

Officer down, aggressor up



Steps	Action
1	Roll onto back with one foot up between head and aggressor.

Continued on next page

2. Discharge an inert substance at the facial area of a silhouette target within five seconds from a distance of no less than four feet, Continued.

Officer down, aggressor up
(continued)

2	Spray aggressor from the ground.
3	Pivot, keeping your feet toward the aggressor.

3. Be exposed to the O.C. chemical irritant you will be carrying.

Purpose

There is a possibility a member could be exposed to O.C. spray from another boarding team member, back splash, or from an aggressor since O.C. sprays are available commercially.

The exposure prepares an individual in case a spray happens and reinforces both the effects of pepper spray and how an individual can function, if determined, after being sprayed.

- The person being exposed must be accompanied by an HL qualified person and a safety observer.
- Remove glasses and contact lenses prior to drill.
- First aid equipment and recovery aids (ice, water, towels, etc.) must be immediately available.

Procedure

The following procedures will be used to familiarize the student with the effects of OC spray.

Steps	Action
1	Use a clean cotton swab for each student.
2	Wet the swab with some O.C. spray.
3	Have the student close the eye lightly and rub the swab on the eyelid above the lash, with enough spray to run into the eye.
4	Once the O.C. has taken effect, have one or two assistants attack the student from the sides with kick-pads. Another assistant will move in and attempt to grab the student's weapon on signal from the instructor.
5	The student may rinse eyes after the drill.

4. Demonstrate first aid procedures to treat an exposed subject.

Physiological reactions

An individual subjected to O.C. spray may experience disorientation, confusion, and possibly panic. The typical immediate reaction includes the following:

- Hands cover face.
- Upper body bends forward.
- Legs become weak with some trembling.
- Body loses balance and stability.
- Possible auditory exclusion (subject may not appear to hear verbal commands).
- Muscles become rigid.

Visible effects

The effect of O.C. spray can also be observed by:

- **Eyes**: May open and close in rapid fashion or close completely with extreme pain. May remain red from ten minutes to two hours.
- **Respiratory System**: Respiratory tract is inflamed causing coughing, gagging, and gasping for breath. Coughing usually stops quickly.
- **Face**: Feels hot like a severe sunburn. Effects vary depending on available treatment.

Wait

When possible, wait 5-10 seconds until the spray has settled prior to approaching the aggressor.

Assess the situation

Consider if restraints are necessary. Remember, the individual escalated the situation to a Level 4 by using aggressive behavior. Maintain firm control of the aggressor and remain on guard. Once the situation is under control, begin decontamination.

Continued on next page

4. Demonstrate first aid procedures to treat an exposed subject, Continued.

Decontamination

Explicit instructions are available on the Material Safety Data Sheet (MSDS) for the O.C. spray in use at your unit.

Steps	Action
1	Continually reassure the victim that the effects will subside.
2	Get the subject to cool, fresh water. Flush the entire face, encouraging the subject to open the eyes.
3	Move to open air; face into the wind with eyes held open. Allow subjects to remove contact lenses.
4	Medical help is required after 45 minutes if the symptoms persist or if the subject requests it.
5	Provide a cool wet towel after symptoms have eased.

Monitor/reassure

Watch the subject for any complications such as positional asphyxia, contact lens contamination, etc.

Chapter 8
Riot Shotgun Familiarization

Overview

Introduction

This task describes the documentation and demonstrations necessary to be qualified to carry the riot shotgun.

In this chapter

This chapter contains this information:

PQS Items	See Page
1. Explain when it is appropriate to chamber a round in a Riot Shotgun.	8-B-1
2. Present documentation showing completion of: (a) Riot Shot Gun Marksmanship Course (b) Judgmental Pistol Course (JPC) (c) COMDTINST 8370.11 (RSG PQS)	8-B-2
3 Demonstrate long gun retention techniques.	8-B-3

Section A. Task Outline

Overview

Objective

The objective of this task is ensure that personnel have the knowledge, judgment, and maturity to carry the riot shotgun.

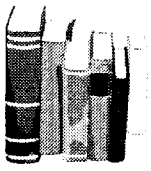
Policy

No boarding team personnel are authorized to carry or use a weapon unless they are a qualified boarding officer or boarding team member who:

- Has been adequately trained in the use of the weapon (proficiency and judgment) in accordance with current directives;
- Is thoroughly familiar with the use of force policy;
- Is determined by the CO/OIC to possess the temperament, maturity, and judgment to make reasonable use of force decisions under pressure; and
- Has been adequately trained and equipped to be able to use non-deadly force as necessary.

Each Group should have at least one individual qualified as a JPC qualifier. These individuals are required to complete Task 3-09 of the Boarding Officer/Boarding Team Member PQS.

References



1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)
3. Ordnance Manual, COMDTINST 8370.11

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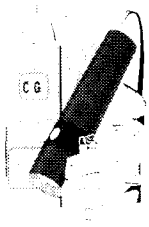
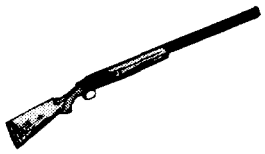
Overview, Continued

Equipment aids N/A





Section B. PQS Task 3-08 Riot Shotgun Familiarization

1. Explain when it is appropriate to chamber a round in a Riot Shotgun.

Chambering a round	A round may be chambered in the riot shotgun as a warning signal in order to prevent the development of a situation which might otherwise require the use of deadly force.
Ammunition	The riot shotgun will be loaded with four rounds of ammunition, with no rounds chambered.

2. Present documentation showing completion of:

(a) Riot Shotgun Marksmanship Course

(b) Judgmental Pistol Course

(c) COMDTINST 8370.11 (RSG PQS)

Review letters of qualification	Complete documentation is required for each item. PQS instructors must certify completion of the above-listed tasks by viewing the member's small arms training record.

3. Demonstrate long gun retention techniques.

Sidearm

Currently there is no USCG training for sidearm retention while carrying a shotgun; therefore, the shotgun will normally be carried in place of the sidearm, not in addition thereto.

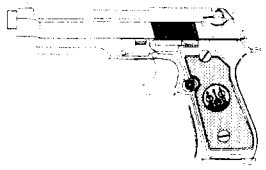
Carriage requirements

All other standard law enforcement belt equipment shall be worn (i.e., expandable baton, body armor, handcuffs, flashlight).

Retaining your shotgun

The most important method to retain your shotgun is to maintain separation between you and potential aggressors, and to keep a strong grip on your weapon. Use a combination of strength techniques and knee strikes to keep the aggressor off balance should he or she reach for your weapon.

Steps	Action
1	Step into the subject with your reaction leg while yelling for help. • This move improves your stability, keeps the weapon close to your abdomen and strengthens your hold on the weapon. • Yell "Gun grab" to alert other boarding team members.
2	Force the stock up and the barrel down without moving the weapon too far from your body. • Jam the stock toward the subject's face or shoulder to attempt to break or loosen his or her grip. • This hyperextends the subject's wrists, weakening his or her grip. • Pivot to keep the aggressor off balance.
3	When the subject releases the weapon, create distance, giving task direction. • If the weapon comes loose and falls to the ground, fight for it, but do not attempt to disarm the subject.
4	Give loud verbal commands throughout.



Chapter 9
Judgmental Pistol Course Qualifier

Overview

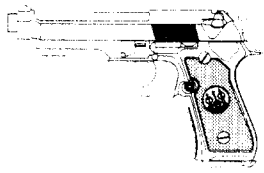
Introduction

This task describes the documentation and demonstrations necessary to be qualified as a judgmental pistol course (JPC) administrator. A thorough knowledge of the Coast Guard's use of force policy, and the administrative actions required to properly document completion of the JPC, are required.

In this chapter

This chapter contains this information:

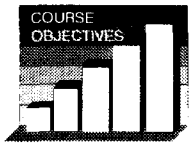
PQS Items	See Page
1. Present documentation showing current Boarding Officer certification.	9-B-1
2. Demonstrate the ability to correctly evaluate personnel in the proper application of the Coast Guard's use of force policy using the judgmental pistol course (JPC).	9-B-2
3. Explain the administrative actions required to properly document administration of the judgmental pistol course (JPC).	9-B-3
4. Demonstrate the ability to properly document: (a) Successful completion of the JPC. (b) Unsuccessful completion of the JPC.	9-B-5
5. Discuss with the unit commander your responsibility for fair and honest administration of the JPC for your unit.	9-B-6



Section A. Task Outline

Overview

Objective



The objective of this task is to ensure that JPC administrators have the knowledge, judgment, and maturity to administer the program.

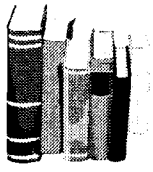
Policy

No boarding team personnel are authorized to carry or use a weapon unless they are qualified boarding officers or boarding team members who:

- Have been adequately trained in the use of the weapon (proficiency and judgment) in accordance with current directives;
- Are thoroughly familiar with the use of force policy;
- Are determined by the CO/OIC to possess the temperament, maturity, and judgment to make reasonable use of force decisions under pressure; and
- Have been adequately trained and equipped to use non-deadly force as necessary.

Each Group should have at least one individual qualified as a JPC administrator. These individuals are required to complete Task 3-09 of the Boarding Officer/Boarding Team Member PQS.

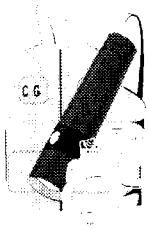
References



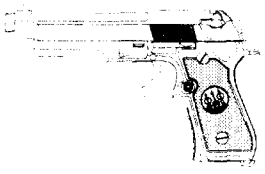
1. Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
2. Boarding Officer and Boarding Team Member Personal Qualification Standard (BO/BTM PQS), COMDTINST 16247.3 (series)
3. The Coast Guard Judgmental Pistol Course (CGJPC), COMDTINST 3574.5 (series)

Overview, Continued

Equipment aids



- CGJPC answer key
- CGJPC raw score form
- Form CG-3029, Small Arms Record Firing Report
- CGJPC tape



Section B. PQS Task 3-09 Judgmental Pistol Course Qualifier

1. Present documentation showing current Boarding Officer certification.

Boarding Officer certification	Present letter of qualification from your current command.

2. Demonstrate the ability to correctly evaluate personnel in the proper application of the Coast Guard's use of force policy using the judgmental pistol course (JPC).

Evaluate personnel

Participate as an observer as the JPC is conducted.

Discuss with the qualified JPC administrator the procedures that evaluees are to follow in taking the course, including:

- The evaluee's performance is the sole criteria for a "passing" score.
- No hints or cues are to be passed to the evaluee during the playing of the tape.
- Follow the written directions provided for conducting the course.

With the qualified JPC administrator as an observer, conduct the course. The qualified JPC administrator will then critique regarding proper procedures and controls being used on the evaluees.

3. Explain the administrative actions required to properly document administration of the judgmental pistol course (JPC).

Explain administration

The JPC administrator documents the evaluee's performance by use of three items:

- CGJPC answer key
- CGJPC raw score form
- Form CG-3029, Small Arms Record Firing Report

With the above three items in hand, the administrator should explain the proper administration.

CGJPC answer key

Administrator's actions:

- Be familiar with the CGJPC tape and answer key.
- Discuss the evaluee's actions based on the answer key associated with the proper scenario group.

CGJPC raw score form

Administrator's actions:

- Record the evaluee's decision(s) and articulations based on the answer key.
- A "Go" is scored when the evaluee makes the appropriate, timely decision and can articulate the reasons for making that decision.
- A "No Go" is scored when the evaluee:
  - Takes the incorrect action OR takes the correct action but cannot articulate why.
  - Fires at any time in the scenario not listed in the answer key.
  - Fires after the Coast Guard members fire in the tape.

Passing score is one less than the total number of decisions made for each scenario group.

Form CG-3029, Small Arms Record

Results of the testing is reported on form CG-3029 as follows:

Continued on next page

3. Explain the administrative actions required to properly document administration of the judgmental pistol course (JPC), Continued.

Firing Report

- In the "JPC" column of block 8, record "P" (pass) or "F" (fail) in the "score" column along with the letter of the scenario group used to test the evaluee.
- File the CG-3029 in accordance with current directives.

4. Demonstrate the ability to properly document:

(a) Successful completion of the JPC.

(b) Unsuccessful completion of the JPC.

Demonstrate administration	In a practice session using the JPC tape, follow the administration procedures outlined in Task 3 above in the presence of the unit's certifying authority. Both "passing" and "failing" scores should be documented.

5. Discuss your responsibility for fair and honest administration of the JPC for your unit with the unit commander.

Unit commander

Schedule a session with the unit commander.

The intent of the JPC is to evaluate the use of deadly force judgment of Coast Guard personnel who carry weapons. Doing a "favor" by qualifying someone who has not passed the JPC can create a deadly threat to both Coast Guard personnel and innocent people at the scene.

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