



DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT HOOD
1001 761ST TANK BATTALION AVE.
FORT HOOD, TEXAS 76544

COMMAND POLICY
SJA-04

5 Sep 2013

AFZF-JA

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Identification to Law Enforcement

1. BACKGROUND AND MILITARY PURPOSE. There is a growing trend of Soldiers assigned to Fort Hood openly carrying firearms in private business establishments in the greater local area in an attempt to publicly assert their Second Amendment rights. These events have led to several confrontations with civilian law enforcement personnel attempting to determine whether there was any threat to the public safety. Texas law makes it illegal to display a firearm in a public place in a manner calculated to alarm. Therefore, law enforcement has a responsibility to ensure that any person carrying a firearm is doing so lawfully and safely. Cooperation with local law enforcement personnel making this determination is essential to guaranteeing the safety of everyone involved, to include the general public, and will help prevent avoidable incidents that could cause serious injury or death to Service Members or civilians. Cooperation will also help avoid any Service-discrediting incidents that reflect negatively on Fort Hood and damage its positive relationship with the local community.

2. APPLICABILITY. This policy applies to all active duty and reserve military personnel assigned or attached to any unit or element subordinate to this Headquarters; to all personnel subject to the court-martial convening authority of the Commander, Fort Hood, and to all active duty and reserve military personnel physically present within the limits of the Fort Hood military reservation.

3. POLICY.

a. Soldiers are prohibited from refusing to present a driver's license or military identification card, to any law enforcement officer in the exercise of his or her official duties, upon request by the law enforcement officer.

b. The purpose of this policy is to assist law enforcement personnel in determining whether a Service Member constitutes a threat to the public safety, without a confrontation, in order to protect Service Members and civilians from avoidable accidents or incidents that could result in death or serious injury. This policy is not intended to prohibit or limit the otherwise lawful acquisition, possession, ownership, carrying, or other use of a privately owned firearm IAW the Ike Skelton National Defense Authorization Act for Fiscal Year 2011, § 1062.

AFZF-JA

SUBJECT: Identification to Law Enforcement

c. This policy does not supersede or modify in any way the requirements and regulations concerning privately-owned firearms physically present on the installation or the otherwise lawful concealed carry of firearms that complies with local, state, and federal laws and regulations.

4. PUNITIVE PROVISIONS. Paragraph 3.a. of this policy memorandum is punitive and is intended to be a lawful general order and regulation within the meaning of Article 92, UCMJ. Violations of paragraph 3.a. may result in punitive action under the UCMJ, adverse administrative action, or both.

5. EXPIRATION: This policy memorandum will remain in effect until superseded or rescinded.



ANTHONY R. IERARDI
Major General, USA
Commanding

DISTRIBUTION:

IAW FH FORM 1853: A