

**EXHIBIT 34**  
**(pages 100-178)**  
**REDACTED**



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## Vignette 11

A few adults and children whom you suspect are migrants approach you on the US side of the border. You're not sure, but you suspect they want to turn themselves in to seek asylum. They do not appear hostile, and instead appear weak, tired, and concerned.



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## Vignette 11 - Answer

The migrants pose no threat, therefore the use of force is not justified. Contact CBP immediately. Do not search, detain, arrest, or perform any other law enforcement function, which is prohibited under the PCA. You **may** provide humanitarian type of assistance, such as water, cover, and safety.

Rule 2.1 Avoid Confrontation

Rule 2.2 Notify CLEA



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## Vignette 12

While working in a Mobile Surveillance Capabilities (MSC) vehicle, you observe through the camera equipment a group of individuals on the Mexico side of the border, some of whom appear to be looking in your direction. As you observe the group, two of the individuals appear to fall down suddenly, as though they were shot. You suspect criminal misconduct.





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## Vignette 12 - Answer

As of now, the group poses no threat to you or your mission, therefore the use of force is not justified. Avoid confrontation. However, because you suspect potential criminal misconduct, immediately contact CBP. If CBP requests you to continue monitoring, there are no legal issues, as long as the continued monitoring remains from the fixed location on which the MSC is positioned. You cannot move the MSC equipment to a different location. Prepare to provide a written statement to CBP.

Rule 2 De-Escalation

Rule 2.1 Avoid Confrontation

Rule 2.2 Notify CLEA



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## Vignette 13

While operating an MSC vehicle, you feel and hear something impact the vehicle, resulting in you immediately losing the camera feed. You suspect your vehicle may be a target of criminal misconduct.



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## Vignette 13 - Answer

Take cover and contact CBP and/or local law enforcement immediately. Attempt to identify the potential threat and determine whether de-escalation is possible. If de-escalation measures are futile, determine whether force is necessary to control the situation, accomplish the mission, or in self-defense or defense of others/property.

Rule 2 De-Escalation

Rule 2.1 Avoid Confrontation

Rule 2.2 Notify CLEA



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## Vignette 14A

Two service members are working in an MSC vehicle that has recently relocated to a new location. Both their M9 weapons are holstered. Both M9 weapons are at Arming level III – Amber/Condition 3. A group of ten individuals who appear to be migrants arrive at the MSC site. One of the individuals knocks on the vehicle.



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## Vignette 14A - Answer

There is no threat. Therefore, the use of force is not justified. However, because you suspect the individuals may be migrants, contact CBP immediately for guidance. Secure the vehicle from attempted entry. Do not engage in any law enforcement activities.

Rule 2 De-Escalation

Rule 2.1 Avoid Confrontation

Rule 2.2 Notify CLEA



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## Vignette 14B

Same facts as Vignette 14A. However, now the service members have opened the door to see what the individuals want after consulting with CBP. After they open the door, some of the individuals attempt to pull the service members out of the vehicles, and physically attack them with their hands and fists.



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## Vignette 14B - Answer

The immediate threat is an attack with non-deadly force against the service members by the individuals. However, due to the large number of individuals, under the circumstances the threat may be considered an attack involving deadly force. Therefore, the service members may respond with non-deadly or deadly force, depending on what is reasonable under the circumstances. Although the service members are authorized to use force, if possible, they should attempt to de-escalate the situation by taking cover until CBP arrives on-scene.

Rule 2 De-Escalation

Rule 3 Individual Self-Defense

Rule 4 Limitation on the Use of Force

Rule 5 Use of Non-Deadly Force



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## Vignette 14C

Same facts as above, but now one of the individuals pulls out a knife in response to the service members using force.





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## Vignette 14C - Answer

Use of deadly force is authorized because the immediate threat is now one of deadly force against the service members. However, remember that deadly force should be used only as a last resort. If possible, the MPs must assess whether they can employ de-escalation measures, such as showing their weapon, vacating the area, or taking cover until CBP arrives to respond.

**Rule 6 Use of Deadly Force in Self-Defense, Defense of Others**



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## Vignette 15

You are part of an MSC team along the southwest border. While traveling from the CBP facility to the MSC site you notice that for the past three days the same brown truck has been following you for a large portion of the drive but does not follow you to the MSC site. After returning to your hotel at the end of your shift you notice the same brown truck parked at your hotel as you get out of your vehicle.



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## Vignette 15 - Answer

The truck and its occupant(s) pose no threat to you. Avoid confrontation with individuals who pose no threat to you. Contact CLEA of the suspicious manner surrounding the truck.

Rule 2.1 Avoid Confrontation

Rule 2.2 Notify CLEA



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## Vignette 16A

You are part of an MSC vehicle team along the south-west border (SWB). After your shift one evening, you and your battle buddy stop at a local restaurant for dinner before returning to your hotel. The staff informs you that they disagree with your presence and the SWB mission. The manager of the restaurant politely asks you to leave and refuses to serve you.



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## Vignette 16A - Answer

The actions of the restaurant staff do not pose a threat to you and your battle buddy. De-escalate the situation by leaving the restaurant, and report this situation to your commander.

**Rule 2.1 Avoid Confrontation**



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## Vignette 16B

Same facts as Vignette 16A. As you leave the restaurant, a group of three restaurant patrons, who are presumably U.S. citizens, get up from the bar and follow you out. They begin yelling obscenities at you and that you need to leave and never come back. One of them throws a glass of beer at your battle buddy, hitting him in the back of the head, but not causing any serious injury.



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## Vignette 16B - Answer

The service members are not on a military installation and are in an off-duty status. The group should move to safety and call 911 immediately to report the assault to civilian law enforcement authorities. Service members may use non-deadly force in self-defense.



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## Vignette 17A

While working in an MSC vehicle, through the radar and camera systems you observe a group of individuals on the Mexico side of the border moving towards a frequent illegal crossing point. Your weapon in the MSC vehicle is at arming level III - Amber/Condition 3. Your government-provided rental vehicle is parked 50 meters from the MSC vehicle. When you observe this, you radio to CBP agents what you observe and provide grid coordinates. Before the agents arrive on scene, can you continue to observe the group through the radar and camera systems?





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## Vignette 17A - Answer

Continuous monitoring from a fixed location is permissible, but you cannot pursue the migrants, which is in violation of the PCA.

Rev 001 to SWB EXORD, para 3.G.7.A.4. (allows T10 forces to “conduct processing, analysis, and dissemination (PAD) of information collected...to DHS.”)



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## Vignette 17B

Same facts as Vignette 17A, but when you report your observation to CBP, the CBP agent instructs you to “engage” and “pursue” the individuals, and if you reach them, “apprehend and detain” them, as well as any drugs you may find on their persons.



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## Vignette 17B - Answer

IAW the MSC mission and the PCA, you are not authorized to perform any of these actions. After you report to CBP what you identify through the camera, you may continue to monitor if requested to do so by CBP, as long as it is from a fixed location.

Rule 2.1 Avoid Confrontation

Rule 2.2 Notify CLEA



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## Vignette 17C

Same facts as Vignette 17A, but you voluntarily exit the vehicle and continue to follow these personnel as they move across U.S. territory until CBP personnel arrive.



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## Vignette 17C - Answer

IAW the MSC mission and the PCA, you are not authorized to pursue individuals. After you report to CBP what you identify through the camera, you may continue to monitor if requested to do so by CBP, as long as it is from a fixed location.

Rule 2.1 Avoid Confrontation

Rule 2.2 Notify CLEA



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## Vignette 17D

Same facts as before. After the CBP agents arrive on scene and then depart to apprehend the migrants, over the radio you hear a firefight break out. The agents are approximately 1KM from your location over relatively flat ground. You hear the agents call for back up from any available personnel. They then request the MSC team to respond as well.



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## Vignette 17D - Answer

T10 forces cannot respond to the incident. Responding would be a violation of the PCA and SRUF. T10 forces cannot protect the CBP agents because protecting them is not directly related to the MSC mission. The MSC mission is limited to operating equipment to detect, monitor, and communicate the movement of surface traffic outside the U.S. and deploy ground-based surveillance systems to support continuous surveillance in the United States along the SW border.

Rule 6, Use of Deadly Force in Self-Defense, Defense of Others



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## Vignette 18

MPs are providing force protection to an engineer unit that is fortifying a fence along the US/Mexico border with concertina wire. CBP agents are not co-located, but are nearby. The MPs and engineers drove to the area in vehicles, which are parked in close proximity to where they are working. There are some small buildings scattered around, including some buildings located near the area where the engineers are working. Off in the distance, you hear small arms fire. It sounds like a rifle, although you cannot tell the exact location or distance of the shooter. You are certain the shots came from the Mexico side of the border.





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## Vignette 18 - Answer

The threat is the small arms fire in the distance. Call CBP immediately to report the incident. There is not enough information here to justify the use of deadly force. You should immediately take cover, aid other DoD members in taking cover, and retreat from the area when it is safe to do so.

Rule 2 De-Escalation

Rule 2.1 Avoid Confrontation

Rule 2.2 Notify CLEA



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## Vignette 19A

MPs are providing force protection to engineers that are working in an area along the border, far away from any POE. The engineers are using cherry pickers to string concertina wire across the top of the existing fence. There is some sparse vegetation, but otherwise there are not many places to seek cover along the border. Off in the distance, the engineers notice a group of 5 young males walking toward their position, but still on the Mexican side of the border. At least two of them are armed with rifles, but you cannot determine whether the others are armed. Once they reach about 100 yards from your position, they appear to scatter and take up hasty fighting positions along a path that roughly parallels the US/Mexico border. They appear to be pointing their rifles in your direction.



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## Vignette 19A - Answer

The DoD forces should immediately take cover and report the incident to CBP. Pointing a rifle at you is a hostile act and demonstrates hostile intent towards you and your unit. Therefore, if under the circumstances the threat is one of death or serious bodily harm to the DoD forces, then use of deadly force is justified, whether it is with an M9 or an M4. However, remember that deadly force should be used only as a last resort.

Rule 2 De-Escalation

Rule 6 Use of Deadly Force in Self-Defense, Defense of Other DoD Persons



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## Vignette 19B

Continuing from Vignette 19A, the males move closer to the border, within range of your M9s, and one of them takes a shot. One engineer is hit and falls to the ground. You see the person who took the shot, and you see him start to head for cover.



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## Vignette 19B - Answer

You are authorized to use deadly force to defend yourself and other T10 DoD forces in response to this hostile act. De-escalation measures would be futile. The injured engineer should be given medical aid as soon as possible.

Rule 2 De-Escalation

Rule 6 Use of Deadly Force in Self-Defense, Defense of Others



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## Vignette 20

MPs are providing force protection to engineers along the border, away from a POE. A small group of males unexpectedly emerge from a border town on the Mexico side of the border, and gather in an area immediately adjacent to the engineers' work area. The group clearly appears upset about the service members hardening the fence, and begin throwing small rocks, bottles and other objects at the service members from the Mexico side of the border. A bottle hits an engineer in the face and causes a deep gash under his eye.



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## Vignette 20 - Answer

The threat in this case is the presence of a hostile group and a bottle hitting a service member causing injury. Service members are authorized to respond to the hostile act with force if the use of force is the last resort, the minimum necessary to control the situation to accomplish the mission, or in self-defense. Whether the service member may use non-deadly or deadly force will depend on the circumstances. Here, non-deadly force is authorized if it is necessary to stop the threat and it is reasonably necessary to protect oneself and other service members. Deadly force is authorized when a service member has determined that all lesser means have failed or cannot reasonably be employed AND it reasonably appears necessary to protect himself or DoD forces from the imminent threat of death or serious bodily harm. However, remember that deadly force should be used only as a last resort. If possible, the MPs must assess whether they can employ de-escalation measures, such as retreating, taking cover, leaving the area when safe to do so, and allowing CBP to respond to the incident. The injured service member should be given medical aid as soon as possible.

Rule 2 De-Escalation

Rule 2.1 Avoid Confrontation

Rule 2.2 Notify CLEA

Rule 4 Limitations on the Use of Force

Rule 5 Use of Non-Deadly Force

Rule 6 Use of Deadly Force in Self-Defense and Defense of Others



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## Vignette 21A

A small group of individuals have gathered on the Mexico side of the border immediately adjacent to the engineers' work area. The group is throwing objects, no one has been hit on the U.S. side of the border. A young male from the group pulls a revolver from his waistband and fires a shot in the direction of the US border, but not directly at the engineers and not within range of hitting them.





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## Vignette 21A - Answer

The threats are the rock-throwing and the young male firing a warning shot not within range of hitting the unit. Under the SRUF, the rock-throwing does not trigger the ability to use non-deadly force because there is no need to protect the service members under these facts. The young male has exhibited a hostile act with a deadly weapon. However, there is no imminent threat of death or serious bodily harm because he is not within range of the unit. Therefore, the male firing a warning does not trigger the ability to use non-deadly force. The service members should retreat, take cover, and safely remove themselves from the situation, and allow CBP to respond.

**Rule 2 De-Escalation**

**Rule 2.1 Avoid Confrontation**

**Rule 2.2 Notify CLEA**



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## Vignette 21B

Same facts as Vignette 21A, but the person on the Mexico side of the border runs closer to the border and starts yelling at one of the engineers. He points his weapon directly at the military engineer.



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## Vignette 21B - Answer

The military engineer is facing an imminent threat of death or serious bodily harm. The service members are authorized to use deadly force to protect the engineer. However, remember that deadly force should be used only as a last resort. If possible, the MPs must assess whether they can employ de-escalation measures, such as retreating, taking cover, leaving the area when safe to do so, or allowing CBP to respond to the incident.

Rule 2 De-Escalation

Rule 2.1 Avoid Confrontation

Rule 2.2 Notify CLEA

Rule 4 Limitations on the Use of Force

Rule 5 Use of Non-Deadly Force

Rule 6 Use of Deadly Force in Self-Defense and Defense of Others



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## Vignette 22A

You are in a MSC vehicle while Your battle buddy is outside maintaining security. You both have M9 weapons at Arming Level III – Amber/Condition 3. It is dark when a group of six individuals arrive undetected 15 meters from the MSC site. They are armed with rifles and at gunpoint, yell “Salgan del vehiculo!” Neither you nor your battle buddy speak Spanish.

What should you do?

Individuals could be cartel, MXMIL, migrants, US militia, etc.



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**CUI**

**CUI**



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## Vignette 22B

Same as previous scenario except now it is daylight. The six individuals are in military uniforms and about 100 meters away with semi automatic rifles. Neither you nor your battle buddy speak Spanish.

What should you do?



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## Vignette 22B- Answer

**CUI**

De-escalation  
Avoid confrontation  
Notify CLEA



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## Vignette 22C

Same as previous scenario except now the group is about 75 meters away and spreading out surrounding the MSC and raising their weapons (not aiming) while walking.

What should you do?

You have pistols- should they just drive away if able to (no fence, escape route, ect)? If not- then what? Try to deescalate but BPT use DF





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## Vignette 22C- Answer

Since the group is 75m away, moving closer with weapons raised (but not aimed), and positioning themselves to surround your position, this is hostile intent.

- Continue to yell out to group to stop, identify yourself (in English and Spanish if you don't know what they speak). At the same time, have the other operator call CBP again and explain urgency.
- BPT unholster weapon and go Red/Condition 1 and take cover
- Consider driving away if a safe egress exists, if not, take cover and try to de-escalate the situation if circumstances permit or use deadly force as a last resort depending on the circumstances.



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## Vignette 22D

A few minutes has elapsed and the group ignored your warnings. There was no safe egress for your departure due to a fence and the MX border and now you are both surrounded with your pistols at the ready. One of the men yells at you in Spanish while pointing his weapon at you.

What should you do?



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## Vignette 22D - Answer

- Although use of deadly force is authorized, it may be too dangerous since you only have two M9s. Do not escalate the situation further. Consider:
- Using Spanish phrases. (We are U.S. military; you are in U.S. territory; border patrol will be here soon; put your weapons down; or please calm down, etc.).
- Continue to attempt to deescalate the situation especially since you are outnumbered and outgunned.
- Try to stall, allowing more response time for CBP.
- Try to maintain your weapon if possible, but not at the expense of someone's life. As always, your safety and security are paramount.
- Use deadly force as a last resort depending on the circumstances.



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## Vignette 22E

Same scenario, but now the group puts you on your knees at gunpoint, takes your weapons, and other stuff out of the truck before leaving on foot.

What should you do?



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## Vignette 22E- Answer

Observe the direction the individuals are headed, but do not pursue them. As soon as it is safe to move, return to the vehicle and report the incident details to CBP and your chain of command.



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## Vignette 23

You are at an MSC site in the daytime with one person maintaining security outside the vehicle. You observe two unknown men dressed in civilian attire approaching your position. They are armed with rifles and are about 100m away. You notice a truck parked about 200m behind the men that you didn't see pull up.

What should you do?



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## Vignette 23 - Answer

Immediately institute “911 procedures” by activating the emergency button on both the vehicle’s radio AND the NANO SHOUT and seek guidance from CBP. If the men get closer and CBP not on scene yet, consider:

- Yell out to group to “stop” and identify yourself (English/Spanish).
- If they continue to move towards you without response, give orders in Spanish to de-escalate (consider: stop, back away, I am U.S. military, you are in U.S. territory; border patrol will be here soon, put your weapons down, or please calm down, etc.).
- Be prepared to unholster weapon and go Red/Condition 1 and take cover (behind vehicle, rocks, egress if available/necessary)
- Consider driving away if a safe egress exists, if not, take cover and try to deescalate the situation.
- Be prepared to use deadly force as a last resort.



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## Vignette 24A

You and your battle buddy are operating a Mobile Surveillance Capabilities (MSC) vehicle at a remote CBP designated location. The vehicle is equipped with a SHOUT Nano and both of you are armed with M9s at Arming Level III, condition amber. While you are operating the camera systems your battle buddy, who is on patrol outside the vehicle, notices a vehicle approaching your location from the southeast. The vehicle stops on the U.S. side of the border, approximately 400 meters from your location, and two personnel exit the vehicle. After focusing the camera feed you notice one of the individuals is in a kneeling position, armed with a long-range rifle and is aiming it in your general direction. The second individual walks around the vehicle out of view. What actions should you take?





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## Vignette 24A - Answer

**CUI**



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## Vignette 24B

After taking cover in the MSC vehicle, you notified CBP and your command of the incident that is occurring. While waiting for civilian law enforcement to arrive, you continue to monitor the situation with the camera system. The second individual walks into view. The armed individual continues to aim his weapon in your direction. You hear what appears to be a gunshot as the armed individual falls backwards. Both individuals appear to celebrate and high-five as they place the rifle into their vehicle and begin to walk approximately 50 meters towards your location before stopping. What actions should you take?



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## Vignette 24B - Answer

The rifle has been removed from the situation and you no longer face an imminent threat of deadly force. The use of deadly force is not authorized. While you believe you have heard a gunshot, neither you nor your battle buddy noticed a round impact your location. You should remain in the vehicle until civilian law enforcement arrives and continue to monitor the situation. The additional details learned while waiting should be reported to CBP and your command. Once civilian law enforcement apprehends the individuals and removes the threat, you should safely clear your weapon and return it to condition amber.



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## Vignette 25A

You are the driver of a CBP bus transporting 40 migrants to a detention facility. The driver's compartment is segregated from all others on the bus. There is one CBP agent on the bus co-located inside the driver's compartment. As you are driving down the dirt road, you are stopped by a group of six armed civilians with two dogs who, by their appearance, are members of an unregulated militia group. They have approximately 50 migrants in their custody and they want to turn them over to CBP. What do you do?



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## Vignette 25A - Answer

Remain in the vehicle and follow CBP's instructions. CBP will be the one to make the call as to what to do about these migrants and the militia group members. They should not involve you in that process. You are prohibited by the Posse Comitatus Act from engaging in law enforcement activities.



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## Vignette 25B

The CBP agent decides there is enough room on the bus to bring on these migrants. As they are processing the migrants onto the bus, one of the migrants gets out of the line and comes around to the driver's door, trying to open it and reaching in the partially-open window. What do you do?



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## Vignette 25B - Answer

Remain in your seat and do not open the window. Get the attention of the CBP agent to restrain the migrant and place them in the bus. If the migrant is able to open the driver door or open the window, is in a position to harm you, and acting as if they will, you are allowed to defend yourself with force that is reasonable under the circumstances, up to and including deadly force.



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## Vignette 26

It has been raining all day. You are the driver of a CBP bus transporting 40 migrants, to a detention facility 30 miles away. The driver's compartment is segregated from all others on the bus. There is one CBP agent on the bus co-located inside the driver's compartment. You are driving down a State highway that has traffic lights at some intersections. You are stopped at one of these intersections that has a Valero service station on one of the corners, when it begins to hail golf-ball size hail. You cannot drive under these conditions. The CBP agent tells you to pull into the service station and assist with getting the migrants off the bus and controlling them in the service station building. What can you do to assist the CBP agent?





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## Vignette 26 - Answer

The Posse Comitatus Act prevents you from engaging in law enforcement activities. The CBP agent will need to control the migrants on their own. Remind the CBP agent that you cannot assist in law enforcement activities. Call your chain of command to resolve any ongoing discrepancies.



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## Vignette 27A

You are the driver of a CBP bus transporting 40 migrants to a detention facility 30 miles away. The driver's compartment is segregated from all others on the bus. There is one CBP agent on the bus co-located inside the driver's compartment. As you are driving down the dirt road, you realize you have a flat front tire on the driver's side of the bus. You stop the bus to assess the damage. Everybody gets off the bus, then all of the migrants begin to run away. The CBP agent is able to grab two male teenagers, one in each hand and yells for you to assist him to subdue both of them. What can you do?



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## Vignette 27A - Answer

Remind the CBP agent that the Posse Comitatus Act prevents you from assisting in any law enforcement action. Remain focused on fixing the flat tire. You may, however, call the CBP home station to request more support if the agent on the ground is overwhelmed and in need of assistance. Call your chain of command to resolve any ongoing discrepancies.



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## Vignette 27B

The CBP agent has regained control of most of the migrants, and you are still working on the flat tire. One of the migrants continues to evade the CBP agent and comes over to you, attempting to grab your tire iron so that he can use it as a weapon against CBP. How do you react?



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## Vignette 27B - Answer

As soon as you are aware that the migrant is coming towards you, step away and notify the CBP agent immediately. Try to de-escalate the situation by speaking to the migrant and securing your tools. If the migrant continues to come towards you and you believe there is an imminent threat against you, you are allowed to defend yourself with force that is reasonable under the circumstances, up to and including deadly force.



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## Vignette 28

You are the driver of a CBP bus transporting 40 migrants to a detention facility 30 miles away. The driver's compartment is segregated from all others on the bus. There is one CBP agent on the bus co-located inside the driver's compartment. While you are driving down a dirt road two migrants start fighting on the bus. The CBP agent instructs you to pull over onto the side of the road. He exits the bus driver compartment and heads towards the rear of the bus to stop the fight. The agent then becomes involved in an altercation with one of the migrants. The migrant succeeds in pulling the agent's weapon out of its unsecured holster and then points the gun at your head, yelling for you to stop the bus and let them get off. What do you do?



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## Vignette 28 - Answer

**CUI**



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## Vignette 29

- You are working the night shift in a detention facility distributing snacks from a snack cart to migrants who are in secured areas. As you turn the corner, you see two teenage females pushing and shoving each other in an aggressive and offensive manner in one of the secured areas. There is no CBP agent visibly around. What should you do?





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## Vignette 29 - Answer

You should not interfere. Immediately take action to locate a CBP agent and alert them to the incident.



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## Vignette 30A

- You are working the night shift in a detention facility distributing snacks from a snack cart to migrants who are in secured areas. A migrant starts to complain to you that he is tired of sleeping on a mat on the floor, eating frozen dinners, and the place is too cold. He does not want to be detained under these conditions one more day. You tell him you will report his complaint to a CBP agent. He is not satisfied with your response. In frustration, he turns over your snack cart sending snack packages all over the floor. His actions cause other migrants to start surrounding you and chant, "Ni un dia mas! Ni un dia mas! What can you do?"



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## Vignette 30A - Answer

Attempt to de-escalate the situation by removing yourself from the immediate area. Notify a CBP agent of the incident. If you are faced with an imminent threat of harm to yourself, you are allowed to defend yourself with force that is reasonable under the circumstances, up to and including deadly force. Should be creating the opportunity for you to get safely out of that situation and allow CBP to engage.



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## Vignette 30B

Along with the snack packages, your cart contained plastic utensils for eating some of the snacks. The migrant grabs hold of a plastic knife and starts waving it in your direction. What should you do?



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## Vignette 30B - Answer

If you feel that the migrant is threatening you with force, you are able to use force in response, but attempt to de-escalate the situation first. If you do have to use force, only use the minimum amount of force necessary to respond to the threat you are facing. If you assess the threat as one of deadly force (which includes serious bodily harm), you are authorized to use reasonable force up to the level of deadly force. Consider all the facts and circumstances—what type of threat are you facing? If he is merely waving it over his head, you will react differently than if he is lunging at you with the plastic knife.



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## Vignette 31

You are distributing meals to migrants who are lined-up in a detention facility, one meal per migrant. One male teenaged migrant wants two meals. He takes the one meal you offer him, but as you attempt to give another meal to the next migrant in line, he grabs that meal too. What should you do?



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## Vignette 31 - Answer

Report the incident to CBP and follow their protocols and comply with their instructions. Do not engage in resolving the dispute—you are not authorized to engage in law enforcement activities and that situation could escalate quickly, which might require CBP to take action to restrain the individual.



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## Vignette 32A

You are assigned as a bus driver for transportation of 15 migrants from a USBP Station to immigration facilities. You are in an enclosed compartment and there is one CBP agent in the compartment with you. While driving, one of the migrants falls to the floor and appears to need medical assistance. The CBP agent begins yelling at you to stop the van and says “watch my back while I help this guy.” What should you do?





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## Vignette 32A - Answer

- There is currently no threat to the service member or their mission. You are authorized to provide medical assistance, but you will need to factor in your mission and the circumstances. Your primary duty is to drive the bus and ensure you can get the migrants to their next destination. If you can secure the driver's compartment and make it around to the other door to help the CBP agent administer medical assistance, you can. Make sure either you or the CBP agent have called in the incident to get back-up assistance on the way. The CBP agent likely asked you to watch their back in the event they lose control of the situation while responding to the injured migrant. In the event something happens, analyze the threat and attempt to de-escalate the situation and avoid confrontation before resorting to the use of force. In this very unique case, the sole CBP agent's presence is critical to your accomplishment of your mission. Therefore, his protection is directly related to your mission and you are authorized to use force that is reasonable, up to deadly force, in his defense.



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## Vignette 32B

While the CBP agent is providing medical treatment to the migrant on the floor, a group of 3 other migrants attempts to take advantage of the situation. They knock the CBP agent unconscious by kicking him in the head and one person grabs the agent's weapon. What do you do?



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## Vignette 32B - Answer

Ensure you are protected by taking cover and reporting the incident to your CBP station. Since you are not armed with a weapon, you will likely be unable to engage the migrant. Allow him to flee the area, but report his description and direction to CBP. When it is safe to do so, administer aid to the unconscious CBP agent. Do not allow the migrant to steal the bus unless your life is threatened. If you were armed with a weapon, you would be authorized to use deadly force to protect yourself and the CBP agent because his safety is critical to your mission success. His protection is therefore directly related to your assigned mission and you are authorized to use force that is reasonable, up to deadly force, in his defense.



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QUESTIONS?