

Training and Evaluation Outline Report

Status: Approved

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Task Number: 27-SEC-2220

Task Title: Provide Legal Advice on Defense Support of Civil Authorities

Distribution Restriction: Approved for public release; distribution is unlimited.

Destruction Notice: None

Foreign Disclosure: FD1 - This training product has been reviewed by the training developers in coordination with the DAJA-G2, TJAGLCS foreign disclosure officer. This training product can be used to instruct international military students from all approved countries without restrictions.

Supporting Reference(s):

Step Number	Reference ID	Reference Name	Required	Primary
	ADRP 3-28	DEFENSE SUPPORT OF CIVIL AUTHORITIES	Yes	Yes
	AR 27-1	Legal Services, Judge Advocate Legal Services (*RAR 001, 09/13/2011)	Yes	No
	AR 27-26	LEGAL SERVICES: RULES OF PROFESSIONAL CONDUCT FOR LAWYERS	Yes	No
	ATP 2-91.7	INTELLIGENCE SUPPORT TO DEFENSE SUPPORT OF CIVIL AUTHORITIES	Yes	No
	ATP 3-28.1	MULTI-SERVICE TACTICS, TECHNIQUES, AND PROCEDURES FOR DEFENSE SUPPORT OF CIVIL AUTHORITIES AND INTEGRATING WITH NATIONAL GUARD CIVIL SUPPORT	Yes	No
	ATP 4-02.42	ARMY HEALTH SYSTEM SUPPORT TO STABILITY AND DEFENSE SUPPORT OF CIVIL AUTHORITIES TASKS http://armypubs.army.mil/doctrine/DR_pubs/dr_a/pdf/atp4_02x42.pdf	Yes	No
	DODD 3025.18	Defense Support of Civil Authorities	Yes	No
	FM 1-04	Legal Support to the Operational Army	Yes	No
	FM 3-07 (Change 1 18 March 2013) (Revision)	Stability http://armypubs.army.mil/doctrine/DR_pubs/dr_a/pdf/fm3_07.pdf	Yes	No
	FM 3-07.31	Peace Operations Multi-Service Tactics, Techniques, and Procedures for Conducting Peace Operations	Yes	No
	JP 3-28	Defense Support of Civil Authorities	Yes	No
	NGR 500-1/ANGI 10-801	National Guard Domestic Operations	Yes	No

Conditions: Supported unit receives an order to provide support to civil authorities. Supported unit commander directs the Judge Advocate Legal Services (JALS) supervisor to provide legal support and advice to the unit during the execution of providing defense support to civil authorities. JALS personnel operate in support of the unit under the technical supervision of a Staff Judge Advocate. Task occurs at any time and performed under all environmental conditions. The task is performed by divisions within an Office of the Staff Judge Advocate (OSJA), brigade legal sections, legal operations teams, or by a combination of JALS personnel as directed by the Staff Judge Advocate. Some iterations of this task should be performed under METT-TC identified constraints. This task should not be trained in MOPP 4.

Standards: JALS personnel provide legal support in accordance with applicable laws, policies, and regulations listed in supporting references, and within technical chain guidance as established by the supervising Staff Judge Advocate. JALS personnel perform all necessary performance steps listed in this T&EO.

Live Fire: No

Objective Task Evaluation Criteria Matrix:

Plan and Prepare			Execute						Assess
Operational Environment		Training Environment (LV/C)	% of Leaders Present at Training/Authorized	% of Soldiers Present at	External Eval	% Performance Measures 'GO'	% Critical Performance Measures 'GO'	% Leader Performance Measures 'GO'	Task Assessment
SQD & PLT									
Dynamic (Single Threat)	Night	IAW unit CATS statement.	>=85%	>=80%	Yes	>=91%	All	>=90%	T
			75-84%			80-90%		80-89%	T-
65-74%	75-79%		65-79%	<All	<=79%	P			
60-64%	60-74%		51-64%			P-			
Static (Single Threat)	Day		<=59%	<=59%	<=50%		U		

Remarks: None

Notes: Some steps and subtasks have performance steps which are specifically prescribed by law or regulation (i.e. courts-martial and administrative separations). These tasks will not be further defined in the task outline. Evaluators should assess whether the unit is proficient at the task in accordance with the laws and regulations governing the specific task.

Safety Risk: Low

Task Statements

Cue: None

DANGER

Failure to follow correct procedures in this task does not pose additional risk of personal injury or damage to equipment.

WARNING

Task does not pose additional risk of personal injury or damage to equipment.

CAUTION

None

Performance Steps and Measures

NOTE: Assess task proficiency using the task evaluation criteria matrix.

NOTE: Asterisks (*) indicate leader steps; plus signs (+) indicate critical steps.

STEP/MEASURE	GO	NO-GO	N/A
* 1. Upon receipt of the mission, JALS supervisor identified the supported unit (jurisdiction), technical chain, and relevant decision makers.			
+ 2. Prior to movement/deployment, JALS personnel reviewed and understood the applicable state laws and federal laws and policies which define how military forces support civil authorities:			
a. Determined whether the activities contemplated by the commander constitute Homeland Defense or Defense Support of Civil Authorities.			
b. Ensured that requests for support from civil authorities comply with established DSCA support request procedures and are approved by the appropriate DoD official.			
3. JALS personnel advised the commander and staff on the limits and restrictions regarding support provided to civil authorities.			
a. Advised on the application of domestic law (including criminal sanctions and exceptions) that apply to military support to law enforcement.			
b. Ensured that contemplated operations comply with applicable fiscal law constraints.			
c. Conducted training for supported units on Rules for the Use of Force (RUF) and Escalation of Force (EOF) procedures, riot control agents, and nonlethal weapons.			
d. Advised on the implications of differing authorities available to be utilized (e.g., Title 10 and Title 32) to ensure that the commander allows for the application of military capabilities within the constraints of the law.			
e. Coordinated legal issues with interagency partners and other participating departments and agencies.			
f. Provided legal advice and assistance to other federal officials upon request, as permitted by the appropriate interagency service agreements.			
g. Provided legal support to command public statements and messaging.			
* 4. JALS supervisor ensured JALS personnel complied with applicable laws, regulations, and rules of professional conduct with appropriate oversight.			
a. Ensured personnel were adequately trained and professionally competent in the relevant practice area.			
b. Ensured personnel work product complied with lawful command and technical chain guidance.			

TASK / PERFORMANCE EVALUATION SUMMARY BLOCK										
Training Unit			ITERATION							
			1		2		3		4	
Date of Training per Iteration:										
Day or Night Training:			Day / Night		Day / Night		Day / Night		Day / Night	
			#	%	#	%	#	%	#	%
Total Leaders Authorized		% Leaders Present								
Total Soldiers Authorized		% Soldiers Present								
Total Number of Performance Measures		% Performance Measures 'GO'								
Total Number of Critical Performance Measures		% Critical Performance Measures 'GO'								
Live Fire, Total Number of Critical Performance Measures		% Critical Performance Measures 'GO'								
Total Number of Leader Performance Measures		% Leader Performance Measures 'GO'								
MOPP LEVEL										
Evaluated Rating per Iteration T, T-, P, P-, U										

Mission(s) supported: None

MOPP 4: Never

MOPP 4 Statement: None

NVG: Never

NVG Statement: None

Prerequisite Collective Task(s): None

Supporting Collective Task(s):

Step Number	Task Number	Title	Proponent	Status
	27-SEC-1020	Train Rules of Engagement, Rules for the Use of Force, Law of Armed Conflict, and Code of Conduct	27 - Judge Advocate (Collective)	Approved
	27-SEC-1100	Provide Legal Support to Plans	27 - Judge Advocate (Collective)	Approved
	27-SEC-1120	Provide Legal Advice in Development and Application of the Rules of Engagement and/or Rules for the Use of Force	27 - Judge Advocate (Collective)	Approved
	27-SEC-1220	Identify, Report, and Track Legal Significant Incidents	27 - Judge Advocate (Collective)	Approved
	27-SEC-1520	Conduct a Legal Engagement	27 - Judge Advocate (Collective)	Approved
	71-CO-5100	Conduct Troop Leading Procedures	71 - Combined Arms (Collective)	Approved

OPFOR Task(s): None

Supporting Individual Task(s): None

Supporting Drill(s): None

Supported AUTL/UJTL Task(s):

Task ID	Title
ART 4.2.3.2	PROVIDE COMMAND LEGAL SUPPORT
ART 5.5.1.3	Provide Operational Law Support

TADSS

TADSS ID	Title	Product Type	Quantity
No TADSS specified			

Equipment (LIN)

LIN	Nomenclature	Qty
No equipment specified		

Materiel Items (NSN)

NSN	LIN	Title	Qty
No materiel items specified			

Environment: Environmental protection is not just the law but the right thing to do. It is a continual process and starts with deliberate planning. Always be alert to ways to protect our environment during training and missions. In doing so, you will contribute to the sustainment of our training resources while protecting people and the environment from harmful effects. Refer to the current Environmental Considerations manual and the current GTA Environmental-related Risk Assessment card. Task does not pose any environmental concerns.

Safety: In a training environment, leaders must perform a risk assessment in accordance with current Risk Management Doctrine. Leaders will complete the current Deliberate Risk Assessment Worksheet in accordance with the TRADOC Safety Officer during the planning and completion of each task and sub-task by assessing mission, enemy, terrain and weather, troops and support available-time available and civil considerations, (METT-TC). Note: During MOPP training, leaders must ensure personnel are monitored for potential heat injury. Local policies and procedures must be followed during times of increased heat category in order to avoid heat related injury. Consider the MOPP work/rest cycles and water replacement guidelines IAW current CBRN doctrine.