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CJCSI 3121.01B
13 June 2005

**STANDING RULES OF
ENGAGEMENT / STANDING
RULES FOR THE USE OF
FORCE FOR US FORCES (U)**



**JOINT STAFF
WASHINGTON, D.C. 20318**

Classified by	LtGen J. T. Conway, USMC; DJ-3
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ENCLOSURE L

STANDING RULES FOR THE USE OF FORCE FOR US FORCES

1. Purpose and Scope

a. Standing Rules for the Use of Force (SRUF) provide operational guidance and establish fundamental policies and procedures governing the actions taken by DOD forces performing civil support missions (e.g., military assistance to civil authorities and military support for civilian law enforcement agencies) and routine Service functions (including AT/FP duties) within US territory (including US territorial waters). The SRUF also apply to land homeland defense missions occurring within US territory and to DOD forces, civilians and contractors performing law enforcement and security duties at all DOD installations (and off-installation, while conducting official DOD security functions), within or outside US Territory, unless otherwise directed by the SecDef. Host nation laws and international agreements may limit US forces means of accomplishing their law enforcement or security duties. Additional examples of these missions, within the US, include protection of critical US infrastructure both on and off DOD installations, military assistance and support to civil authorities, DOD support during civil disturbance and DOD cooperation with Federal, State and local law enforcement authorities, including counterdrug support.

b. SRUF cancels CJCSI 3121.02, "RUF for DOD Personnel Providing Support to Law Enforcement Agencies Conducting CD Operations in the United States," and RUF contained in DOD Civil Disturbance Plan (Garden Plot). Existing standing Military Department and combatant commander RUF directives shall be reviewed and updated to comply with these SRUF. Existing SecDef-approved mission-specific RUF remain in effect, unless otherwise noted. Use of force guidance contained in this instruction supercedes that contained in DOD Directive 5210.56, Enclosure 2.

c. Unit commanders at all levels must teach and train their personnel how and when to use both non-deadly and deadly force in self-defense.

d. DOD forces detailed to other USG lead Federal Agencies (LFA) (e.g., support to US Border Patrol) will operate under common mission-

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specific RUF approved by the SecDef and the LFA. DOD forces always retain the right of self-defense, IAW these SRUF.

e. DOD forces under USCG control, conducting operations both outside and within the territorial limits of the US, will follow the Use of Force Policy for warning shots and disabling fire as issued by the Commandant, USCG, per 14 USC 637 (reference w). DOD forces, under USCG control and inside the territorial limits of the US, retain the right of self-defense IAW these SRUF.

f. DOD forces, under DOD control (and using DOD SRUF and mission-specific RUF), but operating in coordination with other LFA security forces, will coordinate with on-scene LFA personnel to ensure common understanding of DOD RUF. Combatant commanders shall notify the SecDef, through the CJCS, of any use of force issues that cannot be resolved.

2. Policy. Unit commanders always retain the inherent right and obligation to exercise unit self-defense in response to a hostile act or demonstrated hostile intent. Unit self-defense includes the defense of other DOD forces in the vicinity.

3. Combatant Commander Mission-Specific RUF

a. Combatant commanders may augment these SRUF as necessary by submitting a request for mission-specific RUF to the CJCS for SecDef approval. The message format for requesting approval of mission-specific RUF is contained in Enclosure P.

b. Unit commanders may further restrict mission-specific RUF approved by the SecDef. US commanders shall notify the SecDef, through the CJCS, as soon as practicable, of restrictions (at all levels) placed on Secretary of Defense-approved RUF. In time critical situations, make SecDef notification concurrently to the CJCS. When concurrent notification is not possible, notify the CJCS as soon as practicable after SecDef notification.

c. Combatant commanders will distribute these SRUF to subordinate commanders and units for implementation.

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4. Definitions and Authorities

a. Inherent Right of Self-Defense. Unit commanders always retain the inherent right and obligation to exercise unit self-defense in response to a hostile act or demonstrated hostile intent. Unless otherwise directed by a unit commander as detailed below, service members may exercise individual self-defense in response to a hostile act or demonstrated hostile intent. When individuals are assigned and acting as part of a unit, individual self-defense should be considered a subset of unit self-defense. As such, unit commanders may limit individual self-defense by members of their unit.

b. Imminent Threat. The determination of whether the danger of death or serious bodily harm is imminent will be based on an assessment of all facts and circumstances known to DOD forces at the time and may be made at any level. Imminent does not necessarily mean immediate or instantaneous. Individuals with the capability to inflict death or serious bodily harm and who demonstrate intent to do so may be considered an imminent threat.

c. Hostile Act. An attack or other use of force against the United States, US forces or other designated persons or property. It also includes force used directly to preclude or impede the mission and/or duties of US forces, including the recovery of US personnel or vital USG property.

d. Hostile Intent. The imminent threat of the use of force against the United States, US forces or other designated persons or property. It also includes the threat of force to preclude or impede the mission and/or duties of US forces, including the recovery of US personnel or vital USG property.

e. Assets Vital to National Security. For the purposes of DOD operations, defined as President-designated non-DOD and/or DOD property, the actual theft or sabotage of which the President determines would seriously jeopardize the fulfillment of a national defense mission and would create an imminent threat of death or serious bodily harm. Examples may include, but are not limited to, nuclear weapons; nuclear command and control facilities; and designated restricted areas containing strategic operational assets, sensitive codes or special access programs.

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f. Inherently Dangerous Property. Property is considered inherently dangerous if, in the hands of an unauthorized individual, it would create an imminent threat of death or serious bodily harm. Examples may include, but are not limited to: portable missiles, rockets, arms, ammunition, explosives, chemical agents and special nuclear materials. On-scene DOD commanders are authorized to classify property as inherently dangerous.

g. National Critical Infrastructure. For the purposes of DOD operations, defined as President-designated public utilities, or similar critical infrastructure, vital to public health or safety, the damage to which the President determines would create an imminent threat of death or serious bodily harm.

5. Procedures

a. De-Escalation. When time and circumstances permit, the threatening force should be warned and given the opportunity to withdraw or cease threatening actions.

b. Use of Non-Deadly Force

(1) Normally, force is to be used only as a last resort, and the force used should be the minimum necessary. The use of force must be reasonable in intensity, duration and magnitude based on the totality of circumstances to counter the threat. If force is required, non-deadly force is authorized and may be used to control a situation and accomplish the mission, or to provide self-defense of DOD forces, defense of non-DoD persons in the vicinity if directly related to the assigned mission, or in defense of the protected property, when doing so is reasonable under the circumstances.

(2) The use of Service-approved, unit issued non-lethal weapons and riot control agents, including oleoresin capicum (OC) pepper spray, and CS gas, is authorized in operations other than war. Detailed guidance for use of riot control agents by DOD personnel is governed by CJCSI 3110.07 Series, (references b and t listed in Enclosure K).

(3) When operating under SRUF, warning shots are not authorized within US territory (including US territorial waters), except when in the appropriate exercise of force protection of US Navy and Naval Service vessels within the limits set forth in Enclosure M.

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c. Use of Deadly Force. Deadly force is to be used only when all lesser means have failed or cannot reasonably be employed. Deadly force is authorized under the following circumstances:

(1) Inherent Right of Self-Defense. Deadly force is authorized when DOD unit commanders reasonably believe that a person poses an imminent threat of death or serious bodily harm to DOD forces. Unit self-defense includes the defense of other DOD forces in the vicinity.

(2) Defense of Others. Deadly force is authorized in defense of non-DOD persons in the vicinity, when directly related to the assigned mission.

(3) Assets Vital to National Security. Deadly force is authorized when deadly force reasonably appears to be necessary to prevent the actual theft or sabotage of assets vital to national security.

(4) Inherently Dangerous Property. Deadly force is authorized when deadly force reasonably appears to be necessary to prevent the actual theft or sabotage of inherently dangerous property.

(5) National Critical Infrastructure. Deadly force is authorized when deadly force reasonably appears to be necessary to prevent the sabotage of national critical infrastructure.

d. Additionally, when directly related to the assigned mission, deadly force is authorized under the following circumstances:

(1) Serious Offenses Against Persons. Deadly force is authorized when deadly force reasonably appears to be necessary to prevent the commission of a serious offense that involves imminent threat of death or serious bodily harm (for example, setting fire to an inhabited dwelling or sniping), including the defense of other persons, where deadly force is directed against the person threatening to commit the offense. Examples include murder, armed robbery and aggravated assault.

(2) Escape. Deadly force is authorized when deadly force reasonably appears to be necessary to prevent the escape of a prisoner, provided there is probable cause to believe that such person(s) have committed or attempted to commit a serious offense, that is, one that involves imminent threat of death or serious bodily harm, and would

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pose an imminent threat of death or serious bodily harm to DOD forces or others in the vicinity.

(3) Arrest or Apprehension. Deadly force is authorized when deadly force reasonably appears necessary to arrest or apprehend a person who, there is probable cause to believe, has committed a serious offense (as indicated in subparagraph c above).

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