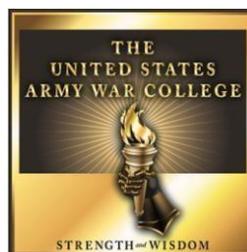


## Military Police as the Lead Phase IV Policing Strategy

by

Lieutenant Colonel Richard J. Ball  
United States Army

Under the Direction of:  
Colonel Carter Oates



United States Army War College  
Class of 2016

### DISTRIBUTION STATEMENT: A

Approved for Public Release  
Distribution is Unlimited

The views expressed herein are those of the author(s) and do not necessarily reflect the official policy or position of the Department of the Army, Department of Defense, or the U.S. Government. The U.S. Army War College is accredited by the Commission on Higher Education of the Middle States Association of Colleges and Schools, an institutional accrediting agency recognized by the U.S. Secretary of Education and the Council for Higher Education Accreditation.

REPORT DOCUMENTATION PAGE			Form Approved--OMB No. 0704-0188		
The public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Department of Defense, Washington Headquarters Services, Directorate for Information Operations and Reports (0704-0188), 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ADDRESS.					
1. REPORT DATE (DD-MM-YYYY) 01-04-2016		2. REPORT TYPE STRATEGY RESEARCH PROJECT		3. DATES COVERED (From - To)	
4. TITLE AND SUBTITLE Military Police as the Lead Phase IV Policing Strategy			5a. CONTRACT NUMBER		
			5b. GRANT NUMBER		
			5c. PROGRAM ELEMENT NUMBER		
6. AUTHOR(S) Lieutenant Colonel Richard J. Ball United States Army			5d. PROJECT NUMBER		
			5e. TASK NUMBER		
			5f. WORK UNIT NUMBER		
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Colonel Carter Oates			8. PERFORMING ORGANIZATION REPORT NUMBER		
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES) U.S. Army War College, 122 Forbes Avenue, Carlisle, PA 17013			10. SPONSOR/MONITOR'S ACRONYM(S)		
			11. SPONSOR/MONITOR'S REPORT NUMBER(S)		
12. DISTRIBUTION / AVAILABILITY STATEMENT Distribution A: Approved for Public Release. Distribution is Unlimited. Please consider submitting to DTIC for worldwide availability? YES: <input checked="" type="checkbox"/> or NO: <input type="checkbox"/> (student check one) Project Adviser recommends DTIC submission? YES: <input checked="" type="checkbox"/> or NO: <input type="checkbox"/> (PA check one)					
13. SUPPLEMENTARY NOTES Word Count: 6,742					
14. ABSTRACT This paper advocates that Military Police are the most viable force to "establish police primacy as the military exit strategy" as part of Phase IV operations. The concept of Rule of Law and its importance to the legitimacy of governance and its necessity as part of re-establishing a police force during transition and stability operations is reviewed. Historical case studies will compare where Military Police were used successfully in transition law enforcement tasks as well as instances where they were not at the forefront in assisting with Rule of Law and police operations and the corresponding affects. Alternative forces to Military Police will be assessed for their capabilities and capacity to support Rule of Law and post conflict police units. Lastly, current force structure capabilities, partnering initiatives with local, state and federal law enforcement agencies within the United States and advancements in professionalism and certifications within the Military Police will also be explored. These points will reinforce that Military Police are best qualified to bridge the transition between military forces and post conflict police forces during Stability operations.					
15. SUBJECT TERMS Armed Forces Law Enforcement, WWII, Germany, Japan, Iraq, Afghanistan, OEF,OIF, Professionalism					
16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT	18. NUMBER OF PAGES 31	19a. NAME OF RESPONSIBLE PERSON
a. REPORT UU	b. ABSTRACT UU	c. THIS PAGE UU			19b. TELEPHONE NUMBER (w/ area code)

## Military Police as the Lead Phase IV Policing Strategy

(6,742 words)

### Abstract

This paper advocates that Military Police are the most viable force to “establish police primacy as the military exit strategy” as part of Phase IV operations. The concept of Rule of Law and its importance to the legitimacy of governance and its necessity as part of re-establishing a police force during transition and stability operations is reviewed. Historical case studies will compare where Military Police were used successfully in transition law enforcement tasks as well as instances where they were not at the forefront in assisting with Rule of Law and police operations and the corresponding affects. Alternative forces to Military Police will be assessed for their capabilities and capacity to support Rule of Law and post conflict police units. Lastly, current force structure capabilities, partnering initiatives with local, state and federal law enforcement agencies within the United States and advancements in professionalism and certifications within the Military Police will also be explored. These points will reinforce that Military Police are best qualified to bridge the transition between military forces and post conflict police forces during Stability operations.

## **Military Police as the Lead Phase IV Policing Strategy**

The United States Army consistently performs superbly when conducting Combat (Phase III) operations. Yet just as consistently it struggles as it transitions to Stability (Phase IV) operations. Is it because one of the core competencies in the Army Operating Concept, Combined Arms Maneuver, emphasizes the application of combat power to seize, occupy and defeat, which is so important to Phase III operations? Does that same task oriented mindset then become problematic with necessary but more ambiguous missions such as protect populations, infrastructure and activities required in the competency of Wide Area Security so essential for Phase IV and eventual success post conflict? Is the Army's reluctance for Statebuilding tasks such as safety and security of the local populace through restoration and training of internal security forces (i.e. police) causing it to focus more on external security forces (i.e. a nation's army) where its comfort level is higher? When Statebuilding tasks must occur, is the Army discounting its own internal policing experts to lead the efforts to integrate Rule of Law mechanisms into the planning and implementation process which can facilitate rebalancing from military forces to police forces in post conflict?

This paper advocates that Military Police are the most viable force to "establish police primacy as the military exit strategy" as part of Phase IV operations.<sup>1</sup> Differences between Statebuilding and Nation-building will be reviewed for a better understanding of what is required in each and which one the military is better suited. The concept of Rule of Law and its importance to the legitimacy of governance and its necessity as part of re-establishing a police force during transition and stability operations is reviewed. Historical case studies will compare where Military Police were used successfully in transition law enforcement tasks as well as instances where they were not at the

forefront in assisting with Rule of Law and police operations and the corresponding affects. Alternative forces to Military Police will be assessed for their capabilities and capacity to support Rule of Law and post conflict police units. Lastly, current force structure capabilities, partnering initiatives with local, state and federal law enforcement agencies within the United States and advancements in professionalism and certifications within the Military Police will also be explored. These points will reinforce that Military Police are best qualified to bridge the transition between military forces and post conflict police forces during Stability operations.

The United States Army mission remains as it has since the inception of the nation; to project power and win decisively as the Nation's principal land force as part of the Joint Forces of the United States military.<sup>2</sup> The preference is to face enemy forces where the military can use its technological and doctrinal advantages to rapidly overwhelm them, bring a quick end to hostilities in support of national interests and a just as swift withdrawal from the theater of operation. However America's past has not borne that preference out.

Recent and ongoing conflicts reinforce lessons that are continuously relearned. U.S. technological focus has limits and does not override the need to emphasize human, cultural and political continuities of armed conflict.<sup>3</sup> The Army desires to fight a "real" war when it must fight, yet its history is primarily one of fighting "undeclared" wars by standard definitions. By one count the United States has used force over 300 times across the globe yet only declared war five times.<sup>4</sup> A 2004 Department of Defense Science Board study found that the United States military was involved in post conflict stability operations every 18-24 months since the end of the Cold War.<sup>5</sup> Yet it wasn't

until roughly 15 years later in 2005 that Department of Defense Directive 3000.05 was published establishing stability operations (and Phase IV operations) as a core United States military mission.<sup>6</sup>

Many of these conflicts invariably draw the military into tasks of either State Building or Nation Building. These terms are problematic particularly with their use in the United States where theoretical and political debates have blurred an understanding of the terms and their associated use in determining military objectives in support of national directives.<sup>7</sup>

Statebuilding, for purposes of military actions in stability operations, is focused on the re-establishment of two critical functions that all stable states perform: security and the provision of basic services.<sup>8</sup> For this paper, those basic services are concerned with police services and the rebuilding of Rule of Law within stability operations. The focus is on rebuilding of command structures, training academies, tactics, techniques and procedures that allow these instruments of a state's power to perform their roles in a systematic manner. In this sense, statebuilding becomes a scientific, technical and administrative process.<sup>9</sup>

Nation-building, on the other hand, restores the two functions found in statebuilding yet adds a third function: protection of essential civil freedoms.<sup>10</sup> From the United States' perspective that usually requires adherence to democratic ideals and principles whether or not the nation where stability operations is occurring is able to readily transition to those concepts. This requires the United States military to engage in the realm of socio-political cohesion and regulate social relationships which it may not understand.<sup>11</sup> This adjudication of societal norms can create cultural mismatches

between accepted community practices and Americanized views of right and wrong. An example is the recent case of an Army Special Forces Soldier being dismissed from the military after assaulting an Afghan police commander for his sexual abuse of an Afghan boy and the police commander's indifference to the perceived wrong over an accepted Afghan practice.<sup>12</sup>

Jack Goldstone noted that "all stable nations resemble one another; each unstable nation is unstable in its own way."<sup>13</sup> A commonality for stability, and a necessary requirement to re-establish in unstable nations immediately post conflict, is the Rule of Law. Building the Rule of Law competes against a myriad of demands facing the intervening nation and its military when combat operations cease. Yet those who intervene militarily and do not take seriously the rebuilding of the Rule of Law in post conflict societies are doomed to undermine their own goals.<sup>14</sup>

At the heart of the matter is a need for security. It's generally recognized that restoration of security is a pre-requisite for establishing legitimacy of the state to govern its people.<sup>15</sup> But where the United States intervenes, the instruments for the Rule of Law are normally hard pressed to be considered legitimate. More often, they are used by the state to oppress its people rather than protect them. This dilemma would arguably lead to an expectation that the United States military places strategic importance on having forces trained and prepared specifically for this critical task and would immediately turn to them when needed. Field Manual 3-07, *Stability Operations* specifically emphasizes the importance of police forces during stability operations.

Yet reticence within the United States military to become too involved in state building tasks, such as police operations, has resulted in gravitation to tasks associated

with external defense rather than internal security. As noted by Kimberly Marten, “for many years it was taken as an article of faith inside the Pentagon that military forces should not be asked to perform police activities except perhaps for the military police inside their ranks.”<sup>16</sup> This places the United States military in a quandary during stability operations as to not only how to proceed but who should lead those efforts. This has not always been the case.

During the 20<sup>th</sup> century, the military undertook successful operations to restore Rule of Law post conflict in both Germany and Japan using Military Police to accomplish the task. The post-World War II occupations of Germany and Japan were America’s first large scale experiences with the use of military force in the aftermath of a conflict.<sup>17</sup> The size, scope and problems associated with military forces and their use post conflict was on a more elaborate scale, beginning with the cessation of hostilities in Germany and Japan, than previously seen. Due to recognition of those issues, planning for “after war” was a serious consideration.

Early in World War II, a military government section of the Office of the Provost Marshal General and a Civil Affairs Division were set up in the War Department in Washington.<sup>18</sup> Its mission was to prepare for establishment of military governance in occupied areas and work towards the transition of governance to civilian management. The result was a School of Military Government established in Virginia in 1942. There Army officers, as well as civilian leaders with select qualifications, under the tutelage of members of the Provost Marshal’s office, prepared for the myriad of problems they would face with the immediate establishment of security being one of the most pressing.

By July of 1945, military leaders recognized a need to transition forces to emphasize internal security operations. With the exception of tensions with the Russians in their sector of occupied Germany, there was little concern of an outside force interdicting operations. Hence the war-fighting military machinery of VE Day rapidly changed into a police type occupation organization.<sup>19</sup> The primary mission of these forces was maintaining law and order within their areas of operation. Many Division commanders turned to the Military Police and Provost Marshals within their organizations to train and assist combat forces in implementing this mission set. At this time, civilian police forces in Germany had either collapsed or were viewed suspiciously as being an instrument of the Nazi party. For example, when Cologne, which had a pre-war police force of over 2,700 officers, was occupied in March, 1945, not a single policeman was found.<sup>20</sup>

Although there were multiple concerns as the war ended of dealing with resistance or guerilla type operations, no such crisis arose as Germany was a defeated nation with the Nazi Party having lost all support in a population more concerned with housing and food than insurrection. Instead of subversive activities, military forces faced problems with black markets, juvenile delinquency, conflicts with displaced persons and crime.<sup>21</sup> These were not kinetic operations that could be solved with traditional fire and maneuver. Recognizing the inability to manage populations and security as if it were a tactical problem, General Eisenhower changed the army type occupation with its overstretched network of battalions, companies and platoons into a police type occupation force designated the U.S. Constabulary Force.<sup>22</sup> Pulled primarily from armored reconnaissance forces with a backbone of Military Police for technical

expertise, the 38,000 strong force received training on law enforcement and military government issues, again relying on internal Military Police assets from across Third and Fifth Armies, to set conditions for a more intense interaction with the German population.<sup>23</sup> Individual and collective training over an 8 week program included laws of arrest, rules of evidence, collection and preservation of evidence interrogations and confessions. Additionally, there was instruction on German psychology and background international relations, language training and functioning and relationship of the Constabulary to other military agencies.<sup>24</sup> By July 1946, the force had relieved all tactical units of tasks involving internal security, public safety and policing within the occupation zone. Due to its effectiveness, mobility, emphasis on law and order and legitimate community level policing efforts tied to the various military government sectors, the force was widely respected by the German population and responsive to its efforts.<sup>25</sup>

With the Constabulary force providing security, the next step in transition was to re-establish a new German police force. After scrubbing potential candidates for Nazi holdovers, police training courses were established to train new recruits.<sup>26</sup> Again Military Police, many using skills they had acquired as law enforcement officers before the war, were used as trainers and facilitators. Eventually these recruits began patrolling and enforcement usually in conjunction with Military Police officers from an Allied nation or with the Constabulary Force. These "International Patrols", as they were called in some sectors, were successful in the gradual transition of legitimacy and authority from the Allied Forces in their occupation role to German government instruments of internal

security protecting the population and maintaining good civil order as the nation was rebuilt.<sup>27</sup>

Japan followed a similar successful transition of internal security with some notable differences. Japan's surrender caught planners and leaders somewhat by surprise. A decision was made to rule Japan through existing government structures to conserve forces for occupation duties. This meant there was no military governments like those set up in Germany.<sup>28</sup> Like Germany, there was little fear initially of outside aggressors interfering with stabilizing the country so the focus of occupation forces was again internal security versus external security. Occupation forces in Japan transitioned quickly into a constabulary role.<sup>29</sup> An area of civil administration that received attention was the thorough reorganization of the police focusing on ridding it of proponents of militarism and aggression. Additionally emphasis was placed on decentralizing the police force with a mandate of focusing on protecting and securing the population versus serving as an element of control for the central government. The Japanese government objected arguing the national police force was the "only stabilizing influence available to the Japanese government" and advocated an increase in those forces as a counter to the sizable reduction of its military.<sup>30</sup> American leadership refused as Allied policy required demilitarization and decentralization of police operations.<sup>31</sup> They recognized the primary role of the police force was not regime representation and regulation as the Japanese government had used it throughout the war years. Rather the primary role of police would be public safety, crime prevention and reassurance in the immediate aftermath of the conflict.<sup>32</sup> Military Police again assisted in the establishment of police training venues, designed curriculum for both constabulary

forces and Japanese police recruits focused on the roles of public safety and assurance and conducted both individual and joint patrols with newly redesigned police units during the occupation of Japan. The initial decentralization was successful in many ways although Japan initiated a series of recentralization actions of police forces in the 1950s with the end of occupation. However the legacy of United States military forces, specifically Military Police, and their initial inculcation of training and values such as protect the population and Rule of Law is still reverberating today. In a 1991 opinion poll, the Japanese public valued “respect for law and order” ahead of a variety of welfare and democratic values including having a strong defense.<sup>33</sup>

The first obligation of an international intervention force in a stability operation is to provide for the safety and security of the civilian population.<sup>34</sup> Unfortunately, by not applying lessons learned from occupation forces in both Germany and Japan, the United States failed to deal with the breakdown of public order in either Iraq or Afghanistan. One argument for not applying these lessons is that the ethnic, socioeconomic and tribal societies in Iraq and Afghanistan were vastly different than the homogeneity and ingrained subservience to authority found in German and Japanese societies.<sup>35</sup> Yet reestablishment of a secure environment for a populace is a fundamental requirement for a society in conflict regardless of the level of homogeneity within that society. Absent basic security, efforts to reform political institutions, adopt new laws, promote national reconciliation and jump start economic growth are destined to fail.<sup>36</sup> This basic security is predicated on the security of the population from threats and the legitimacy of governmental forces in how that security is provided.

Under Saddam Hussein, the Iraqi police were at the bottom of a security bureaucracy. Corrupt and inefficient, they were viewed by the public as the “face of Saddam’s repressive regime.”<sup>37</sup> Prewar planning assumed the police force remained on duty. Instead, the police simply vanished when the invasion occurred. A Justice Department police assessment team determined the Iraqi police were incapable of restoring public order and would require international assistance of a 6,600 person international force along with a comprehensive program to reorganize, retrain and re-equip the police.<sup>38</sup>

The assessment was thought to be overly ambitious to senior officials in Washington with military authorities in Baghdad insisting that the issues of law and order post conflict were an Iraqi problem even as mounting evidence pointed towards their inability to manage the growing crises of looting, kidnapping, rape and other crimes. The U.S. military sought to avoid performing police functions during post conflict in Iraq instead focusing on more traditional forms of protection such as external defense, rebuilding armed forces and protecting borders even when there was not a true external threat.<sup>39</sup> In March 2004, President George W. Bush signed a National Security Presidential Directive which formally assigned responsibility for the train and equip police program to the Department of Defense.<sup>40</sup>

This decision was an unprecedented move as previous stability operations since the end of the Cold war had always had Department of State (DOS) and Department of Justice (DOJ) as the lead for police assistance programs.<sup>41</sup> The Civilian Police Advisory Training Team (CPATT) was established with a British general and civilian deputy from Department of Justice with a mixed military and civilian staff.

An immediate problem was that the United States military and Department of Justice police advisers had different goals for what the new Iraqi police force should do. DOS policymakers and DOJ police trainers planned to create a lightly armed civilian police force utilizing community policing techniques and Western democratic standards for professional law enforcement.<sup>42</sup> This was modeled on a training program used in Kosovo based on the United States' stability operations there in the late 1990s. A fatal flaw, however, was that the training was based on a permissive environment for the police force to begin operations in. Underpinning this plan was DOS and DOJ belief that the military didn't understand the ethos necessary for a successful police force emphasizing Rule of Law and security which allows for governance. Additionally, the advisers argued that the security problems would best be resolved through investigations, arrests and incarceration of criminals and terrorists establishing trust and faith within the police force and the Rule of Law.

The United States military, on the other hand, wanted a police force that was trained to deal with insurgents which would ultimately set conditions allowing a US withdrawal. It concluded that the security situation required militarized counterinsurgency "police like" forces and that community based policing would have to wait.<sup>43</sup> This created a disconnect between the training provided to the Iraqi police and its use within cities and towns with the tragic results of over 12,000 police casualties including 4,000 killed between 2004-2006. Just as tragic was the failure for these police forces to engender trust within the communities they served due to the United States military's use of Iraqi police forces in kinetic operations many times alienating the populace at the same time. A 2006 internal police survey conducted northeast of

Baghdad found that 75% of Iraqis did not trust the police enough to tip them off to insurgent activity.<sup>44</sup>

During this time, several thousand Military Police were operating in Iraq yet most were not involved in the overarching program to design and implement a standardized national police training mission. Some training occurred at the lowest levels where Military Police Brigades attempted to conduct partnering patrols with various elements of Iraqi Police, Highway Patrol, Border Police and others. But the attention that the military could give to the police was rudimentary, sporadic, underfunded and uneven across the country.<sup>45</sup> The training was rarely coordinated with other command structure elements or supported with facilities, equipment and additional training. This lack of involvement can be attributed to several factors.

One factor was a lack of understanding within the military of the capabilities Military Police could provide. Army doctrine for Military Police leading up to the Iraq invasion was built off the Air-Land Battle concept. It emphasized protection of rear area operations stressing area security tasks, support to maneuver and mobility of combat arms forces and enemy prisoner of war operations. Law and Order tasks were something performed at the installation when not conducting contingency operations. As insurgent attacks drastically increased on US forces, protection of personnel, equipment and logistics became a primary concern. This mindset was clearly captured by an officer in Multi-National Corps Iraq (MNC-I) as a Military Police Brigade Assistant Operations Officer was briefing an Iraqi police assessment when he stated, "look I need your gun trucks and your grenade launchers right now not your night sticks and your handcuffs."<sup>46</sup>

Compounding that issue was an undercurrent within DOS and DOJ that Military Police were “not real police” with neither the training nor temperament needed to revamp Iraqi police forces. An example was found within CPATT itself. Upon its establishment, the small staff was augmented by the 89<sup>th</sup> Military Police Brigade. Rather than utilizing the inherent capabilities and expertise within the unit to assist in the training and partnering with Iraqi police, its manpower was used to oversee the reconstruction of Iraqi police facilities, handle distribution of new equipment and vehicles and run central maintenance facilities.<sup>47</sup>

DOS and DOJ continued to place emphasis on federal agents or contracting U.S. civilian police to provide technical assistance on training community policing and law enforcement skills. Some of these advisers came from the United States government such as the Federal Bureau of Investigation or the Drug Enforcement Agency. While others were contracted advisers recruited from small town sheriff departments or metropolitan police forces within the United States. A consistent challenge in Iraq with relying on civilian police assets was the difficulty in recruiting, retaining and supporting them in the security and living conditions in Iraq.

Beginning in 2007 as more combat forces were brought into Iraq to focus on the insurgency problem, Military Police were building confidence through exhibited levels of expertise in advisory roles within the Ministry of Interior and various training organizations within Iraq. This allowed for these forces to devote a considerable proportion of their time to supporting, mentoring and training and conducting joint operations with Iraq police much like what was done in Germany and Japan. Although not quantifiable, anecdotal evidence suggests this widespread support had more impact

on local Iraqi police forces than did the Baghdad centric programs run by the Coalition Provisional Authority, CPATT and follow on training organizations.<sup>48</sup>

America's swift engagement into Afghanistan left little time for planning post conflict governance as the focus was defeat of the Taliban and destruction of Al Qaeda. In October 2011, Richard Haas from DOS was named the Coordinator for the future of Afghanistan. He immediately noted there was a "clear reluctance" to think about providing security once the fighting was concluded.<sup>49</sup> Even while engaged, planners in DOD began shifting focus to possible future operations in Iraq and degrading options for governance and security operations in Afghanistan. This of course impacted decisions on where Military Police would be employed in Afghanistan and to what purpose.

The United States turned to the UN for governing of Afghanistan and Security Council Resolution 1368 established the International Security and Assistance Force (ISAF). ISAF's original mandate was to secure Kabul and train Afghan security forces – nothing else. The United States' focus was on counterterrorism missions of killing or capturing Al Qaeda and Taliban members. In short, no one was responsible for the security of the Afghan people except the Afghan Interim Authority which had no national security force and was competing for legitimacy and governance with numerous armed militias and warlords vying for control of districts.<sup>50</sup>

In 2002, a United Nation's led conference held in Japan, identified mission sets that various nations would be responsible for in terms of assisting governance within Afghanistan. The United States, again predisposed to not have military forces involved in internal security training, declined to assume lead for standing up the Afghan Police. This continued an ingrained reluctance coming out of the Vietnam War for the United

States military to accept stability operations as part of its foundational approach to the range of military operations. Whether as part of disarmament, demobilization and reintegration (DDR) program or a counterinsurgency, less attention is paid to police forces, especially community police who truly can affect the “hearts and minds” mindset, than to military reform.<sup>51</sup> Rather, the United States took on the job of raising the Afghan Army.<sup>52</sup> Germany volunteered to train the police.

By all accounts the core problem in Afghanistan was and remains security.<sup>53</sup> The country last had an organized civilian police force in the 1970s. So the challenge was to create a force that basically didn't exist. Germany's plan was to build a 62,000 member professional force focused on training senior officers in a three year course and non-commissioned officers on a one year course.<sup>54</sup> There were no plans for training or mentoring the ordinary patrolmen who would make up the bulk of the force.

United States leaders believed this plan would move too slowly. As insurgent attacks continued and the population became frustrated with the Afghanistan government's lack of protections and governance, the United States came to realize that police would be critical to maintaining order and providing legitimacy to the government. So although Germany was the lead for police training, the United States established its own police training program.

Managed initially by DOS, they immediately contracted out the training program with DynCorp Aerospace Technology who had conducted police training in Bosnia and Haiti. The initial program trained patrolmen anywhere from 5-8 weeks depending on their level of experience. Compare that with 25 weeks of training that was given to police recruits in Bosnia where they would operate in a more permissive environment.<sup>55</sup>

Again, there was no plan for follow up training, mentoring and more importantly, partnering with foreign police forces to assist with on the job lessons learned.

As a former commander of the security force training programs in Iraq, Lieutenant General James Dubik noted, the initial goal for the police in Iraq and Afghanistan was simple – “develop democratic policing,” but it was anything but simple.<sup>56</sup> By 2005, 35,000 police had been trained, yet their performance was erratic at best, abysmal at worst. Frustrated with the efforts, the United States elected to reassign the police training mission from DOS to DOD to speed up throughput.<sup>57</sup> Rather than focus on establishing security through effective police training and mentoring, efforts turned to focusing on outputs – train X amount of police by X date. This was a lesson already learned in Vietnam when David Epstein flatly stated “, a police training program must under all circumstances be thorough – a 50 percent savings in training time can produce a professional cripple for half a decade.”<sup>58</sup> Afghan police underfunded, underequipped and poorly trained were a common target of insurgent attacks with over 1,600 dying in 2008-2009. A report by the 2008 Afghanistan Study Group noted that in parts of the country the police were seen as a greater cause of insecurity than the Taliban.<sup>59</sup> A nationwide poll that same year found only 58% of Afghans believed they had better security under government forces like the police than they did with the Taliban.<sup>60</sup>

During operations there, few Military Police forces were assigned to Afghanistan. Almost all MP Battalion and Brigade Headquarters deployed primarily focused on detention missions, rebuilding the Afghan corrections system or specialized operations such as Criminal Investigation Division (CID) elements supporting investigations against

insurgents and criminal networks. MP Companies were deployed across Afghanistan but their use in training police forces was haphazard and disjointed as they normally worked for the combat arms element in charge of an area whose focus many times was on the Afghan National Army. Provincial Reconstruction Teams geared towards police training were used in some areas yet overall were ineffective based on size, security limitations and levels of expertise within the teams.

The greatest level of success appeared in advisory roles with select individuals at the higher levels of government specifically in the Ministry of Interior. Afghan leaders expressed satisfaction and appreciation for the skills and expertise for the Military Police leaders provided as advisors at that level. Yet each of those advisors was senior in rank (LTC or COL) and screened and selected for those assignments for just such a reason to build trust and effectiveness with their Afghan counterparts. With the Iraq insurgency pressing the United States for forces, little consideration was applied for sharing or shifting Military Police assets to Afghanistan to fulfill the role of trainer and advisor.

Advocates for not using Military Police for police training in stability operations usually argue along predictable lines. One train of thought is Federal law enforcement such as the United States Marshal Service (USMS) is a better choice for this type of operation. Or that a contracted option focusing on current or retired local and state metropolitan police is a viable option. Still another position is that foreign law enforcement, such as the Italian *Carabinieri* or the United Nations Civilian Police (CIVPOL), is better suited for re-establishment of a police force post conflict. Each has its own challenges and issues that question its suitability.

USMS brings a range of police specialties to a Rule of Law operation. Already considered an operational element of DOJ, use of USMS provides assurance of understanding requirements of Rule of Law programs and assists with unity of effort.<sup>61</sup> Yet the USMS is a small force (roughly 5400 total officers) significantly committed already to federal requirements within the United States. Their ability to surge officers without degrading requirements in the United States would be limited. Additionally, USMS has little to no organic logistics structure for training support leveraging a significant burden on DOJ or more likely DOD for support. Lastly, while extremely proficient and trained, USMS' focus is on specialized operations such as witness and judiciary protection, dangerous fugitive apprehension and serving federal warrants which likely would not translate easily to routine law enforcement patrol and basic investigative training critical in PHASE IV policing.

Contracting for Host Nation Police training, through companies such as DynCorp or by using United States local and state metropolitan police to act as advisors and trainers, was highly touted as a successful alternative to Military Police. Many of these advisors had considerable skill and expertise needed to train and mentor local police forces in a community policing model necessary to restore credibility within the populace. Yet their numbers were limited throughout Iraq and Afghanistan – too limited for effectiveness. As contractors, they operated under force protection rules that prohibited them from operating consistently outside forward operating bases where their mentorship was most needed. Also problematic was that while Western police trainers had a detailed understanding of the technical side of policing, they in several instances displayed poor understanding of the politics, society and cultural norms of those they

were training.<sup>62</sup> And their assignment to requirements appeared to be at times haphazard. Anecdotal examples included a small town patrolman being assigned as an advisor to a police chief managing a large city police force to a retired metropolitan police captain, skilled in police management and department operations, being assigned to train raw police recruits.

Organizations such as the Italian *Carabinieri* can be an effective tool for police training. Yet they are in many ways a paramilitary law enforcement force designed to perform specialized missions involving disciplined group actions to deal with riots, lawlessness and major civil disturbances.<sup>63</sup> As such their training tends to focus on the more kinetic aspects of police operations rather than the necessary community policing models that emphasize patrolling, populace interaction, and investigations and reduction of crimes and criminal elements affecting the peace transition. The *Carabinieri*, *Gendarmerie* and German police trainers have had success in training forces in recent counterinsurgency. Yet as an example of where the focus is rather than where it should be, it's estimated that the Afghanistan National Police spend 70% of their time executing counterinsurgency operations, either independently or being directed to support Afghan National Army operations.<sup>64</sup>

CIVPOL is another option for this type of training operation. Yet a critical requirement is approval by the United Nations for their use. The United States has in the past, and may in the future, conduct operations that are not sanctioned by the UN making this force unavailable. Additionally, CIVPOL assistance is primarily individuals and teams, volunteered from UN supporting nations, for a specific operation. Each contributor brings his or her views of police training and modeling as well as nation

mandates or constraints that affect the consistency of effort, guidance and support provided to a post conflict police training mission. And as noted in previous examples, the United States many times becomes frustrated or fundamentally disagrees with the pace, method and programs provided via UN support resulting in the United States establishing its own police training programs with metrics and expectations that are different and even opposed to the UN requirements. This in turn affects unity of effort across police training in the host nation creating disparate foundational norms that are important to creating police standards across the country.

The shift away from consideration of Military Police as a strong choice to lead police training in stability or PHASE IV operations is rooted in doubts about their credibility in Law Enforcement as a military entity, their capability to train on the Rule of Law and at times a somewhat disappointing condescension that Military Police aren't "real" police. Benjamin Agordzo, in his work on formed police units in post conflict situations, argues that there are insufficient numbers of Military Police within the inventory to deal with law enforcement in post conflict situations.<sup>65</sup> If they were available, they'd require intensive pre-deployment training suitable for the context of the assigned mission.<sup>66</sup> Perhaps most disheartening from Agordzo is that "although the Military Police have some law enforcement training, it is generally inadequate."<sup>67</sup> These arguments against Military Police are outdated, incomplete and incorrect.

The United States Army Military Police Corps is the largest law enforcement organization in the Department of Defense.<sup>68</sup> There are over 51,000 Soldiers coded as Military Police between the active component, Army National Guard and Army Reserve.<sup>69</sup> Subtracting those Army Military Police whose specialty is Corrections and

Detention operations still leaves a force of almost 40,000 policemen each with varying levels of training and expertise available for planned, programmed and long term rotational Host Nation Police Training in stability or PHASE IV operations. Many of the Military Police in the Guard and Reserve are civilian law enforcement officers having the same skill sets and expertise that you would find in CIVPOL or other contracted programs that were used in Iraq and Afghanistan for Host Nation police training. No other federal agency, contracted company or United Nation's training program has the ability to field a police training capability in those terms.

Requirements for extensive pre-deployment training are already addressed as part of standard training metrics. Military Police are able to quickly deploy and assume duties during that transition time between PHASE III and PHASE IV operations where other options for police training are either not available fast enough, with enough forces or the right levels of logistical and force protection support to move with and train Host Nation police forces to re-establish rule of law, civil order and legitimate government control. This timeframe is the "golden hour" of an insurgency where the populace looks for who assumes control in the vacuum. Is it legitimate security forces who they choose to willingly support or criminal, terrorist and insurgent forces who may be illegitimate yet the populace acquiesces to support for personal safety and needs that governance and law enforcement won't or can't provide?

Military Police understand the concept of operating in the human domain where culture, society, norms and values within the populace must be addressed and mirrored within the police force. Interpersonal communication skills are a hallmark of Military Police training and daily interaction with a populace both at Home Station and deployed

environments. It allows Military Police to “see” the operational area with empathy and understanding. They use critical thinking; adapt rules to local circumstances; make judgments and are accountable at a level of mission command not found in other military or civilian organizations.<sup>70</sup> This focus on the human dimension allows Military Police to manage multiple roles as part time lawyers, psychologists and public administrators in the uncertain and constantly changing environments they habitually operate in.<sup>71</sup> In turn they gain knowledge and expertise that is absolutely critical for building a post conflict police force.

Some contemporary research reinforces this position. A study by criminal justice scholars in 2002 postulated that models for training international police forces should consider policing concepts found in small towns, rural areas and military installations.<sup>72</sup> A 2015 article on policing for high threat environments in the professional journal of the International Association of Chiefs of Police (IACP) expanded that rationale stating that a police officer in a failing country or state more likely needs the interpersonal dexterity of a rural sheriff or a Military Police officer rather than the specialized skills and advanced technical equipment of a metropolitan police officer.<sup>73</sup>

Previous Army doctrine emphasized Military Police fighting rear area battles against special operations forces attempting to disrupt logistics and command and control. This perpetuated a fallacy that Military Police have inadequate law enforcement skills necessary for effective training of Host Nation police post conflict. Yet over the last 15 years, the Military Police Corps has embarked on aggressive opportunities to build, strengthen and certify its law enforcement professionalism.

The United States Army Military Police School (USAMPS) was accredited through the Federal Law Enforcement Training Accreditation (FLETA) process in 2010 with three of its subordinate programs receiving program accreditation in 2010-2011.<sup>74</sup> In 2012-2013, USAMPS enacted a pilot training program for graduates of the MP School to obtain certification from the Missouri Department of Public Safety's Peace Officer Standards and Training (POST) Program.<sup>75</sup> POST certification has been adopted by all states in the U.S. as a requirement for any agency that performs law enforcement duties. The success of this pilot program led the Department of the Army in 2013 to direct USAMPS to develop an Army wide POST program.<sup>76</sup> Once validated, this program will be reciprocal with any POST training program in the United States.

Additionally, the Military Police Corps is partnered with multiple federal agencies and civilian corporations for fellowship programs designed to heighten and build executive and management skills of senior Military Police. These fellowships run the law enforcement gamut from corporate security training with McKesson Corporation to a Lieutenant Colonel currently serving as a Special Executive Assistant to an Assistant Director of the FBI. Each year select officers attend the FBI National Academy. As part of the Army's drive to better prepare Soldier's for careers both in and out of the military, there are 18 certification and credentialing opportunities specifically geared for Military Police on the Army's Credentialing Opportunities Online (COOL) website.<sup>77</sup> Regional Aligned Force (RAF) engagements have showcased Military Police as effective and efficient trainers in the Pacific, Europe and Africa.

Local initiatives and training opportunities are occurring at multiple Army installations. At Fort Bliss, Texas, the 93D Military Police Battalion is engaged with a

variety of local, state and federal law enforcement agencies from the Border Patrol to the FBI Hostage Response Team to the El Paso Police Department. Joint exercises occur on the installation improving communication, techniques and response procedures. Off installation attendance at training seminars, after action reviews and professional organizational meetings establish relationships, engenders trust and builds recognition within the greater law enforcement community that Military Police are a value added partner for policing. Each of these unique actions enhances the credibility of Military Police and increases their skillsets and expertise to assume greater responsibility and roles for training Host Nation Police.

History has consistently shown that the United States military will be drawn into stability type operations. Even when executing kinetic combat operations in a traditional role, there is inevitably an end to that level of hostilities and a transition to PHASE IV operations where it is necessary to re-establish governance. Police are the first line of defense against subversive and insurgent groups and require trainers, mentors and advisors best suited to prepare them for their role policing in post conflict.<sup>78</sup> When Military Police are designated the lead in their role as the Army's policing experts to train police post conflict, the results have been productive and successful. When relegated to a minor role or not used at all in assisting in re-establishing policing and Rule of Law, the outcome has been mixed. Military Police should be the first choice for the Department of Defense when tasked with PHASE IV and stability operations requiring skilled and expert professionals to conduct law enforcement and policing roles in support of Host Nation police forces.

## Endnotes

<sup>1</sup> Matthew Modarelli, "Military Police Operations and Counterinsurgency", *Small Wars Journal*, December 2008, 11.

<sup>2</sup> U.S. Department of the Army, *The U.S. Army Operating Concept*, TRADOC Pamphlet 525-3-1 (Washington DC: U.S. Department of the Army, October 31, 2014), 8-10.

<sup>3</sup> *Ibid.*, 8.

<sup>4</sup> Glenn P. Hastedt, *American Foreign Policy Past, Present, and Future* (Lanham, MD: Rowman & Littlefield Publishing Group, Inc., 2015), 181.

<sup>5</sup> Jeffrey M. Shannahan, "Decentralized Stability Operations and Mission Command," *Joint Forces Quarterly*, no. 79 (4<sup>th</sup> Quarter, October 2015): 29-30.

<sup>6</sup> *Ibid.*, 29.

<sup>7</sup> Nicolas Lemay-Hebert, "Statebuilding without Nation-building? Legitimacy, State Failure and the Limits of the Institutionalist Approach," *Journal of Intervention and Statebuilding* 3, no. 1 (2009): 20.

<sup>8</sup> *Ibid.*, 7.

<sup>9</sup> *Ibid.*, 12.

<sup>10</sup> *Ibid.*, 7.

<sup>11</sup> *Ibid.*, 11.

<sup>12</sup> Adam Ashton, "JBLM Soldier Who Beat Afghan Man over Child's Rape Faces Army Discharge," *The News Tribune*, August 31, 2015, <http://www.thenewstribune.com/news/local/military/article32969865.html> (accessed September 1, 2015).

<sup>13</sup> Dr. Kenneth J. Menkhaus, "State Fragility as a Wicked Problem," *PRISM* 1, no. 2 (March 2010): 89.

<sup>14</sup> Jane Stromseth, David Wippman, and Rosa Brooks, *Can Might Make Rights?: Building the Rule of Law after Military Interventions* (New York: Cambridge University Press, 2006), 7.

<sup>15</sup> Lieutenant Colonel David M. Krall, *Providing Security: The Strategic Importance of Policing*, Strategy Research Project (Carlisle Barracks, PA: U.S. Army War College, March 19, 2010), 1-2.

<sup>16</sup> Kimberly Marten, "Statebuilding and Force: The Proper Role of Foreign Militaries," *Journal of Intervention and Statebuilding* 1, no. 2 (June 2007): 242.

<sup>17</sup> James Dobbins, et al., *America's Role in Nation-building: From Germany to Iraq* (Santa Monica, CA: Rand Corporation, 2003), xiii.

<sup>18</sup> Harold Zink, *American Military Government in Germany* (New York: The MacMillan Company, 1947), 6.

<sup>19</sup> Simon W. Duke and Wolfgang Krieger, eds., *U.S. Military Forces in Europe: The Early Years, 1945-1970* (Boulder, CO: Westview Press, 1993), 156.

<sup>20</sup> Alice Hills, *Policing Post Conflict Cities* (London: Zed Book Limited, 2009), 34.

<sup>21</sup> *Ibid.*, 160.

<sup>22</sup> *Ibid.*, 161.

<sup>23</sup> Dobbins, et al., "America's Role," 10.

<sup>24</sup> Lieutenant Colonel Colleen L. McGuire, *Constabulary Training for a Full Spectrum Force*, Strategy Research Project (Carlisle Barracks, PA: U.S. Army War College, April, 2001), 6.

<sup>25</sup> Duke and Krieger, eds., *U.S. Military Forces*, 161.

<sup>26</sup> Zink, *American Military Government*, 127.

<sup>27</sup> Patrick V. Garland, "The International Patrol," *Military Police Journal*, Fall 2015, 42-43.

<sup>28</sup> Dobbins, et al., "America's Role," 30.

<sup>29</sup> Karen Finkenbinder, Robert E. Lowe, and Raymond Millen, *Fostering a Police Reform Paradigm* (Carlisle Barracks, PA: U.S. Army War College, 2013), 25.

<sup>30</sup> Dobbins, et al., "America's Role," 42.

<sup>31</sup> Peter J. Katzenstein, *Cultural Norms and National Security: Police and Military in Postwar Japan* (Ithaca, New York: Cornell University Press, 1996), 58.

<sup>32</sup> Hills, *Policing Post Conflict*, 39.

<sup>33</sup> Katzenstein, *Cultural Norms*, 195.

<sup>34</sup> Robert M. Perito, "Police in Peace and Stability Operations; Evolving US Policy and Practice," *International Peacekeeping* 15, no. 1 (February 2008): 1.

<sup>35</sup> Dobbins, et al., "America's Role," xxi.

<sup>36</sup> Stromseth, Wippman and Brooks, *Can Might Make Rights*, 134.

<sup>37</sup> Perito, "Police in Peace," 60.

<sup>38</sup> *Ibid.*, 61.

<sup>39</sup> Marten, "Statebuilding and Force," 237-238.

<sup>40</sup> Ibid., 62.

<sup>41</sup> Robert M. Perito, *The Iraq Federal Police: U.S. Police Building under Fire* (Washington DC: United States Institute of Peace, 2011), 3.

<sup>42</sup> Perito, "Police in Peace", 62.

<sup>43</sup> Perito, *The Iraq Federal Police*, 3.

<sup>44</sup> Walter C. Ladwig III, "Training Foreign Police: A Missing Aspect of U.S. Security Assistance to Counterinsurgency," *Comparative Strategy* 26, no. 4 (October 2007): 285.

<sup>45</sup> Seth G. Jones, et al., *Establishing Law and Order after Conflict* (Santa Monica, CA: Rand Corporation, 2005), 124.

<sup>46</sup> Lieutenant Colonel Richard Ball, personal memories from military service in Iraq, Summer/Fall 2004.

<sup>47</sup> Perito, *The Iraq Federal Police*, 3.

<sup>48</sup> Jones, et al., *Establishing Law and Order*, 133.

<sup>49</sup> Richard D. Hooker, Jr. and Joseph Collins, eds., *Lessons Encountered from the Long War* (Washington, DC: National University Press, 2015), 279.

<sup>50</sup> Ibid., 279.

<sup>51</sup> Finkenbinder, Lowe, and Millen, *Fostering a Police Reform*, 11.

<sup>52</sup> Ibid., 279.

<sup>53</sup> Stromseth, Wippman, and Brooks, *Can Might Make Rights*, 121.

<sup>54</sup> Hooker, Jr. and Collins, eds., *Lessons Encountered*, 293.

<sup>55</sup> Ibid., 292-293.

<sup>56</sup> Finkenbinder, Lowe, and Millen, *Fostering a Police Reform*, 19.

<sup>57</sup> Hooker, Jr. and Collins, eds., *Lessons Encountered*, 293.

<sup>58</sup> David G. Epstein, "Police Role in Counterinsurgency Efforts," *Journal of Criminal Law and Criminology* 59, no. 1 (March 1968): 150.

<sup>59</sup> Hooker, Jr. and Collins, eds., *Lessons Encountered*, 294.

<sup>60</sup> Marcus Skinner, "Counterinsurgency and State Building: An Assessment of the Role of the Afghan National Police," *Democracy and Security* 4, no. 3 (December 2008): 293.

<sup>61</sup> Terrence K. Kelly, *Options for Transitional Security Capabilities for America* (Santa Monica, CA: Rand Corporation, 2006), 36.

<sup>62</sup> Skinner, "Counterinsurgency and State Building," 299.

<sup>63</sup> Benjamin Kwasi Agordzo, "Filling the 'Security Gap' in Post-conflict Situations: Could Formed Police Units Make a Difference?" *International Peacekeeping* 16, no. 2 (April 2009): 288.

<sup>64</sup> Skinner, "Counterinsurgency and State Building," 300.

<sup>65</sup> Agordzo, "Filling the 'Security Gap'," 288.

<sup>66</sup> Ibid.

<sup>67</sup> Ibid.

<sup>68</sup> Colonel Ignatius M. Dolata Jr., *Equalizing Military and Civilian Law Enforcement Certification*, Strategy Research Project (Carlisle Barracks, PA: U.S. Army War College, March 20, 2012), 1.

<sup>69</sup> Major Phillip Warren, "Military Police Organizational Structure Brief," Total Army Analysis 18-22, Washington DC, Pentagon, April, 2015.

<sup>70</sup> Finkenbinder, Lowe, and Millen, *Fostering a Police Reform*, 28.

<sup>71</sup> Ibid., 38.

<sup>72</sup> David N. Falcone, Edward Wells, and Ralph A. Weisheit, "The Small Town Police Department," *Policing: An International Journal of Police Strategies and Management* 25, no.2 (2002): 382.

<sup>73</sup> Colonel Eugenia K. Guilmartin, "The Paradox of Police Development: Community Policing for High Threat Environments," *The Police Chief* LXXXII, no. 8 (August 2015): 40-43.

<sup>74</sup> Dolata, Jr., *Equalizing Military*, 6-7.

<sup>75</sup> Amy Newcomb, "Fort Leonard Wood MPs Obtain Missouri POST Certification," May 2, 2012, [http://www.army.mil/article/79106/Fort\\_Leonard\\_Wood\\_MPs\\_obtain\\_Missouri\\_POST\\_certification/](http://www.army.mil/article/79106/Fort_Leonard_Wood_MPs_obtain_Missouri_POST_certification/) (accessed December 18, 2015).

<sup>76</sup> Dawn Arden, "DA POST Certification Enters Second Phase," February 6, 2014, [http://www.army.mil/article/119694/DA\\_POST\\_certification\\_enters\\_second\\_phase/](http://www.army.mil/article/119694/DA_POST_certification_enters_second_phase/) (accessed December 18, 2015).

<sup>77</sup> *Army Credentialing Opportunities Online Home Page*, <https://www.cool.army.mil/overview/index.htm> (accessed December 18, 2015).

<sup>78</sup> Ladwig III, "Training Foreign Police," 285.