

PKSOI PAPER

**U.S. MILITARY FORCES
AND POLICE ASSISTANCE IN STABILITY
OPERATIONS:
THE LEAST-WORST OPTION
TO FILL THE U.S. CAPACITY GAP**

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FOREWORD

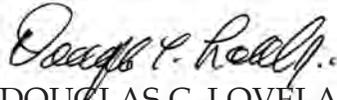
Mr. Keller rightly observes that establishing an effective local police force is critical to successful stability operations. An effective police force is a key component to security sector reform, justice sector reform, and the successful transition to the host nation's security force. But because the United States lacks the institutional capacity to provide an immediate and coordinated civilian police training and advisory effort, we are trying to fill this gap through less-effective means—using the military, which tends to focus on those things with which it is most familiar—such as weapons handling, marksmanship, equipment maintenance, and other higher-end police skills rather than those community policing skills that engender community trust and support.

History shows that the U.S. Government had an effective institutionalized civilian police training capacity from 1954 to 1974, first through the International Cooperation Administration (ICA) and then through its successor organization, the U.S. Agency for International Development (USAID), established in 1961. In 1963, USAID established the International Police Academy in Washington, DC, to train foreign police officers. During its existence, more than 5,000 police officers from 77 countries graduated from the academy. An additional 3,000-plus officers attended specialized courses offered by other U.S. Government agencies but funded by USAID.

Congressional opposition to the training program grew and peaked in 1973, with accusations that police approved, advocated, or taught torture techniques to civilian police from other countries, which in turn damaged the image of the United States. As a result,

legislation was enacted which prohibited foreign assistance funds for police support and training within or outside the United States. This required closing the police academy.

Current operations have forced us to relook at this issue. Mr. Keller has done so and makes recommendations for a better way ahead.



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DENNIS E. KELLER, a retired U.S. Army colonel, is presently a contract faculty instructor for the Department of Distance Education, U.S. Army War College (USAWC), where he is responsible for the development of the online regional studies course for the Americas region. Prior to his work with the USAWC, Colonel Keller served as an Infantry and Foreign Area Officer who retired after 30 years of service. He has experience working in the Latin American multinational environment since 1981. In 1985 and 1986 he was assigned to El Salvador as the Psychological Operations Advisor with the El Salvadoran Armed Forces Joint General Staff. For 2 years he worked with the El Salvadoran Armed Forces in planning and executing strategic and operational level psychological operations, and provided direct support to the El Salvadoran Armed Forces' counterinsurgency operations to defeat the FMLN communist insurgency. From 1987 to 1989 Colonel Keller served as the senior Defense Intelligence Agency analyst focused on the Sandinista armed forces and the Contra insurgency against them in Nicaragua and Honduras. From 1989 to 1992, he was the Army and Navy Attaché with the U.S. Embassy in La Paz, Bolivia. There he reported on the Bolivian Armed Forces and National Police counterdrug operations. He worked with the Ambassador and other members of the Country Team to develop programs to achieve U.S. theater objectives for counterdrug operations and to maintain and strengthen democracy in Bolivia. Colonel Keller served for 7 years as the senior Department of Defense official for U.S. Embassy Country Teams in Latin America, from 1993 to 2000. From 1993 to 1997 he was the Defense and Army Atta-

ché with the U.S. Embassy in Guatemala. He reported extensively on the ongoing internal conflict between the Guatemalan Army and the URNG insurgency. He worked with the Country Team to further the U.S. objectives in Guatemala of achieving a negotiated settlement of the internal conflict and reducing human rights abuses by the Guatemalan military and insurgents. From 1997 to 2000 Colonel Keller served as the Commander of the U.S. Military Group with the U.S. Embassy in La Paz, Bolivia. He assisted the Ambassador in the development of the U.S. Embassy's Mission Performance Plan, and the U.S. Southern Command in the development of the Theater Security Cooperation Plan for the country of Bolivia. He also helped the Country Team and the Bolivian armed forces to develop a successful counterdrug strategy that succeeded in eradicating most of Bolivia's illegal coca plant production, as well as promoting the Bolivian armed forces' participation in international peacekeeping operations. Colonel Keller holds a B.A. in International Politics from Pennsylvania State University, an M.S. in Foreign Service from Georgetown University, and is a graduate of the Inter-American Defense College at Fort McNair, Washington, DC.

SUMMARY

Establishing an effective local police force is one of the most critical elements of successful counterinsurgency (COIN) and stability operations, but it is a task for which the U.S. Government is the least prepared and capable. The establishment of an effective police force is critical to security sector reform, justice sector reform, and the successful transition to the host nation's security forces. But the United States lacks the institutional capacity to provide an immediate and coordinated civilian police training and advisory effort, particularly in a failed or fragile state. Because hesitation in addressing such problems causes delays in forming and training new police forces, and, even worse, emboldens corrupt and abusive locals who enable insurgents, terrorist groups, and organized criminal networks, the U.S. military must be prepared to support stability operations at regional level and below by assessing, advising, and even training police units until such time as civilian police trainers and mentors arrive on the ground.

Army doctrine emphasizes the importance of community-focused civilian police forces during stability operations and suggests that clear separation of police and military roles is essential to successful rebuilding. Doctrine also recognizes that military forces may have to perform police functions during the initial response. But history is replete with examples of local police becoming targets of opportunity for insurgencies; having trained, operationally ready police is always important and no more so than in current operations in Afghanistan and Iraq.

At one time, the U.S. Government had a better institutional response than it does now. From 1954 to

1974, first the International Cooperation Administration (ICA), and then its successor organization, the U.S. Agency for International Development (USAID), established in 1961, presented balanced programs providing technical advice, training, and equipment for civil and paramilitary police organizations. In 1963, USAID established the International Police Academy in Washington, DC, to train foreign police officers. At its peak, the USAID arm had 590 permanent employees, to include staff at the International Police Academy, and advisors in 52 countries at different times. This academy graduated over 5,000 students from 77 countries until it was closed because of congressional fears that the program approved, advocated, or taught torture techniques that had damaged the image of the United States. Thus, legislation was passed that prohibited foreign assistance funds for training and financial support of law enforcement forces within or outside the United States. The reluctance to be associated with local police continues to haunt U.S. Government efforts to train police of fragile and failed states to this day.

As a result, the U.S. Government continues to lack the capacity for timely deployment of civilian police trainers in the early phases of stability operations. Using military personnel to train and advise civilian police is being justifiably criticized. Military personnel, even military police, are not prepared to train and advise civilian police in most tasks. Instead, their training is skewed toward the higher end stability policing tasks such as riot control, convoy security, motorized patrolling, establishing checkpoints, and weapons training. The emphasis on such tasks makes it more difficult to transition to community-based policing. A clear delineation needs to be established between sta-

bility policing and community-based policing, with phased transitions as appropriate. Focusing only on the technical skills must cease, while instruction in such normative principles as responsiveness to the community, accountability to the rule of law, defense of human rights, and transparency to scrutiny from the outside, must be institutionalized. Such an adjustment will result in an organizational culture that abjures abuse. Such success will require embedding of quality advisors for a significant period of time, though even then expectations must be kept realistic.

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Establishing an effective local police force is one of the most critical elements of successful counterinsurgency (COIN) and stability operations, but it is a task for which the U.S. Government (USG) is the least prepared and capable. The establishment of an effective police force in stabilization operations is critical not only to security sector reform and justice sector reform, but also to the successful transition from U.S. or allied military forces' responsibility to the host nation security forces' assumption of responsibility for civil security and civil control. Unfortunately, the USG currently lacks the institutional capacity to make an immediate and coordinated civilian police training and advisory effort, especially in a nonpermissive security environment in a failed or fragile state. The resultant delays in addressing problems in host nation police forces, or forming and training new police forces, only extend the time required to establish the security needed to reinvigorate the governance and economic sectors; in a worst-case scenario, incompetent, corrupt and abusive local police may even encourage the local population's support of insurgents, terrorist groups, or organized criminal networks. Therefore it is imperative that military support of stability operations at the regional level and below include assessing, advising, and even training police units until civilian police trainers and mentors arrive on the ground.

U.S. military doctrine generally recognizes the critical role of police forces in COIN and stabilization

operations. *Field Manual (FM) 3-24, Counterinsurgency*, emphasizes that “the primary frontline COIN force is often the police—not the military.”¹ The manual emphasizes further that police are only one aspect of establishing the rule of law, which also depends on appropriate legal codes, an effective judicial system, and an adequate detention capacity and penal system. Police forces have a structure unique to the host nation. They often include local criminal and traffic police, a specialized federal paramilitary strike force, as well as border, transport, and other specialized police forces. Effective local police can provide the best human intelligence, and a constant local presence that can build confidence in and legitimacy for the host nation government. Liaison and coordination between host nation police and military forces are essential for effective COIN operations.²

Field Manual (FM) 3-07, Stability Operations, emphasizes the importance of civilian police forces during stability operations, noting that “community-oriented police services under civilian control that clearly separate the roles of police and military are essential to success.”³ Under the *establish civil control task*, the manual assigns a direct military responsibility for police functions during the initial response. During this first phase, military forces may have to “perform civilian police functions, including investigating crimes and making arrests . . . as well as control crowds, prevent looting, and manage civil disturbances.”⁴ As part of this initial response, military forces can “deploy police trainers and advisors.”⁵ Subsequently, during the transformation, military forces may have to “train and advise host-nation police forces” and “establish police academies” as essential stability tasks.⁶ Chapter 6 of FM 3-07 elaborates specific skill-building efforts

by police trainers and advisors for law enforcement reform, which is a key element of Security Sector Reform.⁷

There is good reason for the doctrinal emphasis on the necessity for effective community-based police forces. As the most visible manifestation of the local government's presence, the police are also the first to be targeted by an organized insurgency, both to gain popularity with the local population in which the police may be held in low esteem, and to reduce government legitimacy and credibility by demonstrating the insurgents' ability to defeat and dislodge police from local communities. A very vivid illustration of why local police are often the first to be targeted by an insurgent group, making police assistance a most urgent matter, is the directive issued by the Greek National Organization of Cypriot Fighters (EOKA) guerrilla leader, George Grivas, in Cyprus in 1955:

The aim of our next offensive will be to terrorize the police and to paralyze the administration, both in the towns and the countryside. If this aim is achieved, the results will be threefold:

Disillusionment will spread through the Police Force so rapidly that most of them, if they do not actually help us, will turn a blind eye to our activities.

Active intervention of the Army in security, which will stretch the troops and tire them out. The falling morale of the Army will also influence its leaders.

In the face of our strength and persistence and the trouble they cause, it is very probable that the United Nations, through member countries who take an interest in Cyprus affairs, will seek to bring about a solution. (Note: Grivas' political goal for his insurgency was independence for Cyprus from British colonial rule; thus, this aim directly supports his political objective.)

The results we want will be obtained by:

1. Murderous attacks against policemen who are out of sympathy with our aims or who try to hunt us down.
2. Ambushes against police patrols in towns or raids on country police stations.
3. Obstructing free movement of the police across the island by laying ambushes (against individuals or groups).⁸

In fact, EOKA's subsequent attacks on local police in Cyprus achieved the desired aims outlined above. The priority given to attacks on local police by this insurgent leader, and the aims he achieved, make a compelling case for prioritizing police training and assistance as part of COIN and stability operations.

Despite the doctrinal support for the importance of police training and reform in COIN and stability operations and the operational urgency of bolstering police in weak states, this task remains one of the most neglected in ongoing operations in Iraq and Afghanistan, as well as in other fragile states around the globe where the United States is involved to one degree or another. The reluctance to engage with foreign police forces is partially a result of the difficult nature of the problem. Police forces in fragile states are often corrupt, abusive, and incompetent, and may be one of the least regarded institutions by the general society. Police forces are often the first line of defense against an insurgency or organized crime, and thus are the first to become involved in questionable interrogation techniques, accepting bribes, and other unsavory activities. To add to the complications of working with police, there is often an ongoing rivalry and distrust between a nation's military and police forces, making the necessary cooperation between these two institu-

tions in defeating an insurgency and stabilizing a country even more difficult. The difficulty of advising and reforming a police institution given these conditions is a daunting challenge for any USG agency, leaving this essential task with few enthusiastic takers.

Despite these difficulties, at one time the USG had a better institutional response than at present. From 1954 through 1974, the International Cooperation Administration (ICA), and then its successor organization, the U.S. Agency for International Development (USAID), established in 1961, provided balanced programs of technical advice, training, and equipment for civil and paramilitary police organizations. USAID's Office of Public Safety (OPS) provided centralized staff support for numerous country public safety programs. In 1963, USAID established the International Police Academy in Washington, DC, to train foreign police officers. At its peak, the USAID police support group had 590 permanent employees, to include staff at the International Police Academy and advisors in 52 countries at different times. The public safety advisors overseas were professional police officers, with an average of 14 years of police experience in the United States or equivalent technical training or military experience. The International Police Academy presented a 17-week general course for mid-grade police officers, and a 14-week senior course for police officers in the grade of lieutenant colonel and above, with English, French, and Spanish as the languages used for instruction. During its existence, 5,204 police officers from 77 countries graduated from the academy. An additional 3,651 police students attended specialized courses offered by other USG agencies but funded by USAID.⁹ (See Figure 1.)

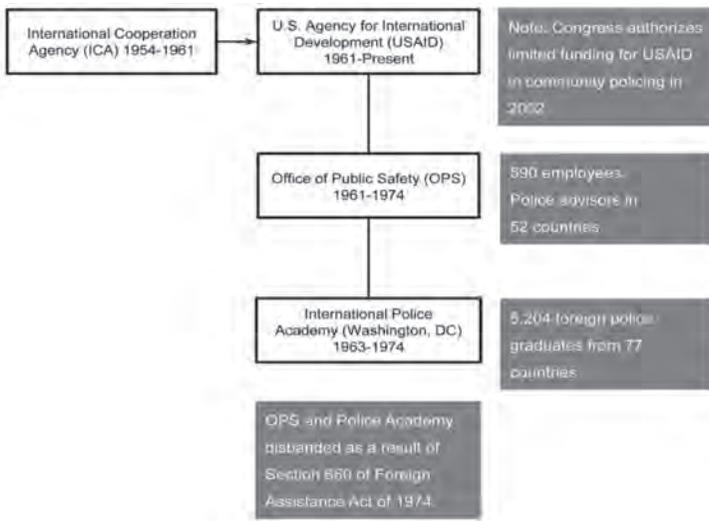


Figure 1. USG Agencies Involved in Police Training (Vietnam Era).

Congress's growing opposition to USAID's police training and assistance programs peaked in 1973, the concern being that police trainers had allegedly approved, advocated, or taught torture techniques to civilian police in some countries, which in turn had damaged the image of the United States. The Foreign Assistance Act of December 1974 included Section 660, which prohibited foreign assistance funds for training and financial support of law enforcement forces of foreign governments within or outside the United States. This obligated USAID to close the International Police Academy and the OPS. Section 660 prohibitions on uses of foreign assistance funds for police training and support, which primarily affect USAID funding, remain in force today. The Senate Committee on Foreign Relations report of August 1973 expressed the sentiment behind this legislative restriction as follows:

United States participation in the highly sensitive area of public safety and police training unavoidably invites criticism from persons who seek to identify the United States with every act of local police brutality or oppression in any country in which this program operates. It matters little whether the charges can be substantiated, they inevitably stigmatize the total United States foreign aid effort.¹⁰

The reluctance to be associated with local police evident in this statement continues to haunt USG efforts to train police in fragile and failed states to this day.

Section 660 applied only to funds appropriated as foreign assistance, but did not apply to other agencies' appropriations, leaving in its wake a variety of diverse programs administered by various USG agencies with little central coordination. The Department of State (DoS) under its Antiterrorism Assistance Program (ATA) provides limited police training to improve selected countries' antiterrorist capabilities. The DoS International Narcotics and Law Enforcement (INL) Bureau employs appropriated funds under the international narcotics control and training program to assist foreign police in narcotics law enforcement and interdiction programs in narcotics producing and transit countries. Beginning in 1986, the Department of Justice (DoJ) established the International Criminal Investigative Training Assistance Program (ICITAP) to enhance the investigative capabilities of law enforcement agencies, especially in countries with transnational criminal activities that affect the United States.¹¹ The Department of Homeland Security (DHS) Customs and Border Protection (CBP) has a program of Border Patrol (BP) agents in Central America and now Iraq to train border police. As of June 2008, there

were 11 BP agents in Iraq, training Iraqi border enforcement officers in border management techniques. To manage this training and other programs, DHS has established the CBP attaché program, which currently has attachés in 15 countries to include Iraq.¹²

The DoJ has provided the majority of non-narcotics overseas rule of law assistance from the inception of the ICITAP program in 1986 until the U.S. interventions in Afghanistan and Iraq in 2001 and 2003. DoJ also established the Office of Overseas Prosecutorial Development, Assistance, and Training (OPDAT) in 1991 to assist prosecutors and judicial personnel to develop and sustain effective criminal justice institutions. DoJ does not have its own funding for ICITAP and OPDAT programs, but is completely dependent on DoS and USAID funding for all its programs. Funding was expanded to include Millennium Challenge Corporation (MCC) funding beginning in 2004 for a program to combat fraud and corruption in Malawi; MCC now funds ICITAP programs in Indonesia, Kyrgyzstan, Moldova, Peru, Tanzania, Uganda, and Ukraine. DoJ also receives DoD funds for ICITAP programs in Afghanistan and Iraq.¹³ (See Figure 2.)

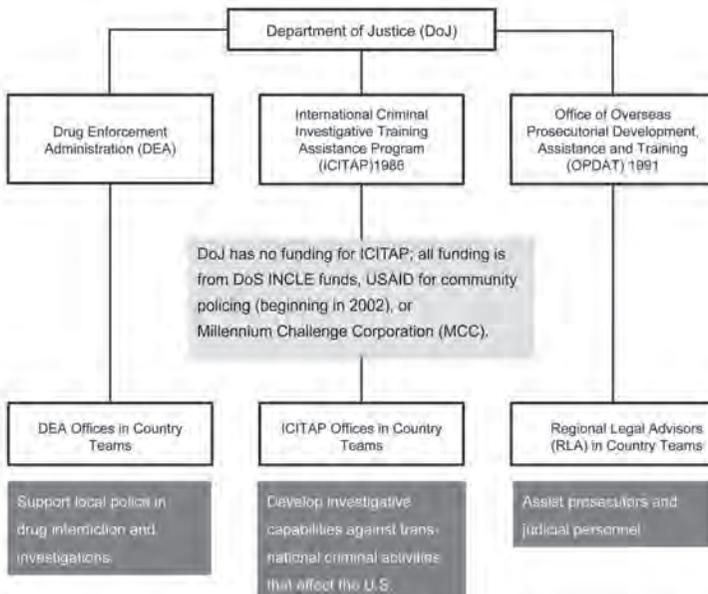


Figure 2. Department of Justice Police Assistance.

While ICITAP began as a very limited program in 1986 to develop criminal investigative capacities of police forces in Latin America, it has since expanded the types of police assistance offered on a worldwide basis. The three principal types of ICITAP assistance projects include assisting law enforcement institutions in emerging democracies and developing countries, assisting key allies in combating terrorists, and developing law enforcement institutions in post-conflict reconstruction or international peacekeeping operations. ICITAP provides assistance in a broad range of law enforcement subject areas to include organizational development, criminal investigations, transnational crime, forensics, corrections, and community policing, among others.¹⁴ The key event that began the expansion of ICITAP police programs was Operation JUST

CAUSE in Panama in 1989. ICITAP developed its first full-scale country police development program to create a civilian-led police force in Panama to replace the previous military security force. ICITAP developed police programs for El Salvador's National Civilian Police established by the United Nations (UN) mediated peace accords that ended El Salvador's insurgency in 1992. ICITAP also participated in developing a civilian police force after the U.S. intervention in Haiti in 1994, led the building of a police academy in Kosovo in 1999, and participated in law enforcement programs in Afghanistan beginning in 2002 and in Iraq beginning in 2003.¹⁵ Currently, ICITAP has 41 country law enforcement programs worldwide, with 18 field offices overseas. ICITAP headquarters in Washington, DC, has about 40 federal employees to manage these programs, about half of whom have prior law enforcement experience; the remainder are civilian professionals with experience in the design and implementation of foreign law enforcement development.¹⁶

The DoJ OPDAT program has also expanded since its inception in 1991, with the mission of enhancing foreign justice sector institutions, mainly by promoting legislative and justice sector reform where laws are inadequate—improving the skills of foreign prosecutors, investigators, and judges; and promoting the rule of law. As of 2008, OPDAT had 54 Regional Legal Advisors (RLAs) in 32 countries. RLAs are experienced prosecutors deployed to a country for at least 1 year to provide full-time advice and technical assistance to justice sector institutions. OPDAT also deploys Intermittent Legal Advisors (ILAs), who conduct discrete short-term assistance programs ranging from 1 week to 6 months focused on a specific aspect of criminal justice. In FY 2008, OPDAT conducted 561 such short-

term assistance programs in 92 countries. As with ICITAP, all of these OPDAT programs depend on funding from DoS, USAID, or the MCC.¹⁷

USAID has returned to police training in a limited way, by virtue of congressional legislation of 2002 authorizing USAID to conduct “community-based police assistance,” but only in Jamaica – with El Salvador added in 2003 and 2004. In 2005, Congress expanded this authority through Section 564(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, which provided authority for USAID to conduct police training on a worldwide basis to “enhance the effectiveness and accountability of civilian police authority through training and technical assistance.” USAID has conducted its community-based police assistance by providing funds to DoJ’s ICITAP for the actual execution of the program. Current policy guidelines for USAID-funded community police training include requirements for instruction in democratic control of police and in respect for human rights and anti-corruption. USAID is prohibited from providing any lethal technology or weapons to police forces, and may not assist internal intelligence or surveillance operations nor specific investigations, police actions, or prosecutions.¹⁸ While this community police training program shows promise in helping fragile states improve their often-tenuous security environment, thus far the assistance has been proposed for only a few African nations – aside from Jamaica and El Salvador, where it first began.

The most-significant funding source dedicated specifically for foreign police training is International Narcotics Control and Law Enforcement (INCLE) funding, which is mainly administered by DoS’s INL Bureau. DoS began to expand its assistance to foreign

police forces as a result of the growing instability in fragile states after the end of the Cold War. The first civilian police (CIVPOL) deployment by DoS/INL included 50 U.S. police officers to Haiti in 1994 as part of the International Police Monitor mission, which transitioned to the UN the following year. INL police training is now administered by the Office of Civilian Police and Rule of Law Programs (INL/CIV), which includes programs for prosecutorial, judicial, and correctional development, as well as the civilian police field.¹⁹ Since 1994, INL/CIV has deployed some 7,000 police officers to Haiti, several Balkan nations spun off by the breakup of Yugoslavia, a few African countries, and Iraq and Afghanistan. As of 2009, INL/CIV manages some 1,600 deployed U.S. police, including Iraq (600), Afghanistan (580), Kosovo (222), Haiti (50), Liberia (15), and Sudan (15).²⁰ However, when reviewing figures such as these from DoS INL, it is difficult to determine how many of these U.S. police are contracted by ICITAP with INCLE funds provided by DoS INL, and how many are actually contracted by INL/CIV itself using INCLE funds. The example from Iraq discussed later highlights this institutional complexity in the present state of police training. (See Figure 3.)

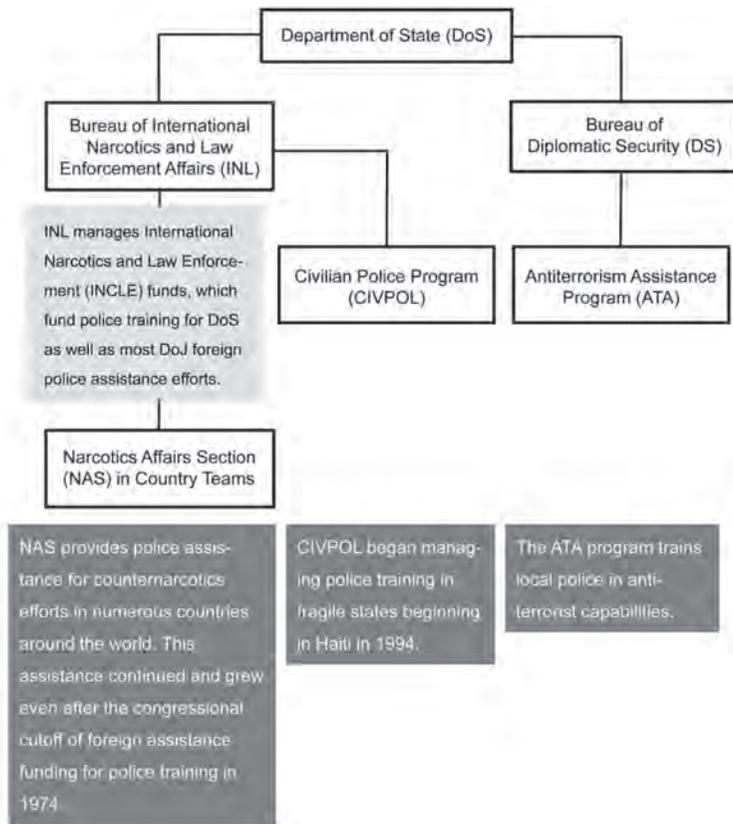


Figure 3. Department of State Police Assistance.

DoS INL and the DHS Federal Law Enforcement Training Center (FLETC) collaborate in providing foreign police training and education at a number of International Law Enforcement Academies around the world, with INL providing the INCLE funds, and FLETC providing training and technical assistance to these academies. The first training academy was the International Law Enforcement Academy (ILEA)-Budapest established in 1995; followed by ILEA-Bangkok in 1996; ILEA-Gaborone, Botswana, in 2000; and most recently ILEA-San Salvador in 2005. Each of these academies has a Director or Deputy Director from

either DHS or DoS, and conducts specialized courses of 1 to 3 weeks in areas such as narcotics trafficking, money laundering, and multinational investigations, as well as other police issues relevant to the particular region. Each of the academies also periodically offers a longer 6- to 8-week Law Enforcement Executive Development program or equivalent. There is also a U.S.-based ILEA at Roswell, New Mexico, managed by DoS INL.²¹ The focus of the training at these academies is methods for curbing international crime, drug-trafficking, and terrorist activity that directly affects the United States. The training is not oriented strictly on preparing local police for community policing activities which are most critical for stability operations. (See Figure 4.)

This review of the various programs for police training illustrates how a diverse array of U.S. agencies has developed police training programs to fill the vacuum left by congressional termination of USAID's OPS police training programs in 1974. The USG Accountability Office (GAO) reported that the United States provided \$970 million in rule of law assistance from 1993 to 1998 to more than 180 countries throughout the world. GAO found that while DoS has overall responsibility for coordinating U.S. rule of law policy and programs, the DoJ's ICITAP and OPDAT, USAID, and more than 30 other departments and agencies also have a role in providing rule of law assistance. In mid-1998, DoS, in its role as overall coordinator for law enforcement policy and programs, attempted to inventory all U.S. rule of law programs for FY 1997. DoS was unable to complete the inventory due to the inability of many departments and agencies to identify programs specifically for rule of law activities.²²

Department of Homeland Security Police Assistance

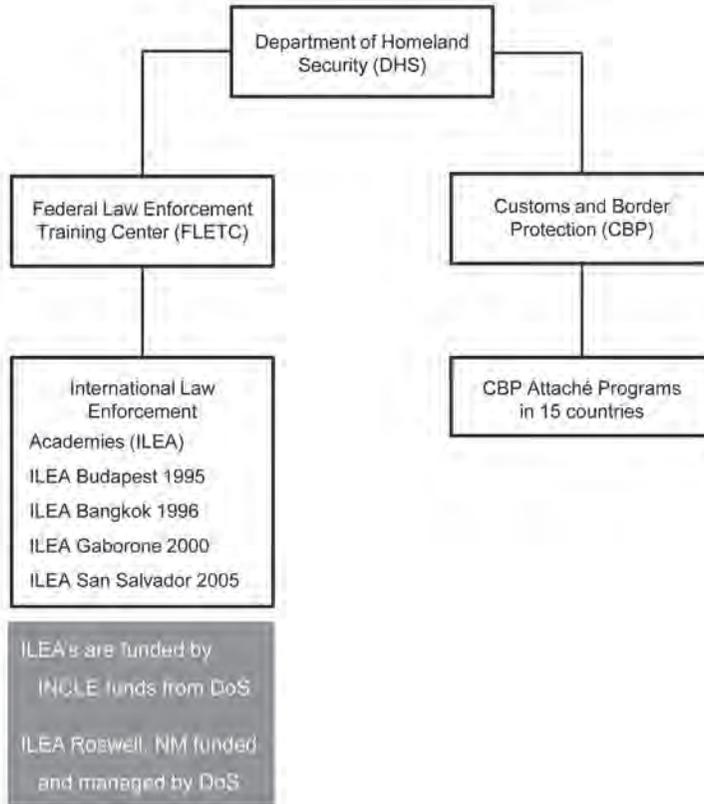
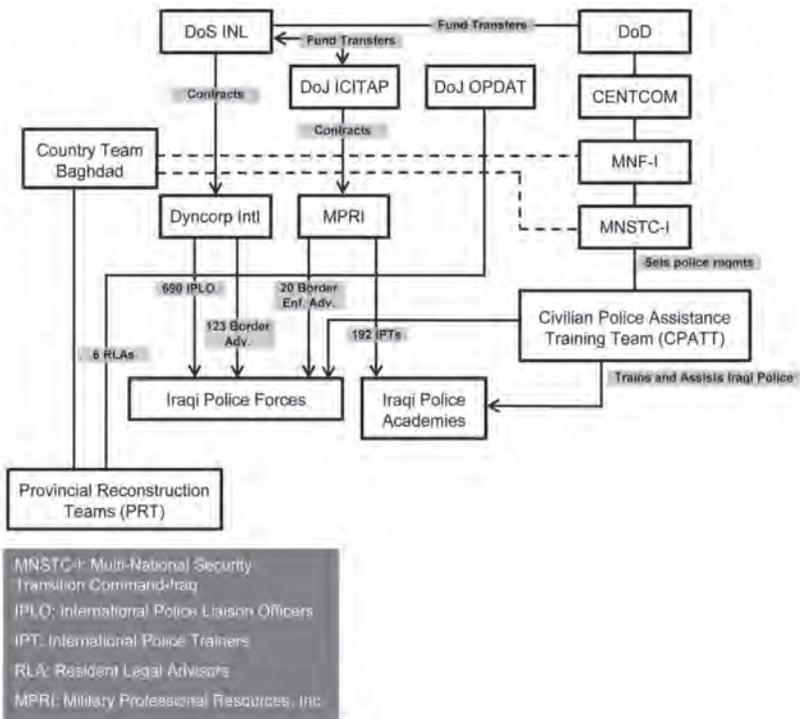


Figure 4. Department of Homeland Security Police Assistance.

The GAO report also identified interagency discord in the management of law enforcement programs. By the late 1990s, disagreement had developed between DoJ and DoS over their respective roles in the DoJ ICITAP police training programs. DoJ wanted a larger role in developing law enforcement policy and programs instead of relegating ICITAP to the role of a contracting office for DoS INCLE funds. State and

USAID officials were concerned with some ICITAP internal management problems, which were the subject of a DoJ Inspector General investigation in 1997 and have since been resolved. An interagency committee consisting of DoS, DoJ, and USAID met in August 1998 to review ICITAP operations, but DoJ did not support the committee's draft report. However, ICITAP did implement many of the recommendations in the draft report.²³ The strains between these three agencies concerning foreign law enforcement programs continue to this day. The complex division of funding and responsibilities among them is well illustrated by the situation with police and law enforcement training as it has been implemented in Iraq.

The U.S. intervention in Iraq from 2003 to the present is the largest law enforcement and police training effort at least since the U.S. intervention in Vietnam. In Iraq, the Central Command (CENTCOM) established the Multi-National Security Transition Command-Iraq (MNSTC-I) to reconstruct Iraq's security sector, and created the Civilian Police Assistance Training Team (CPATT) to train and equip Iraqi police and other civilian security forces. As of April 2007, CPATT had trained 135,000 Iraqi Police Service personnel, 24,000 National Police Service personnel, and 28,000 border guards. To train these police personnel, DoD transferred \$1.5 billion to DoS INL for INL to provide law enforcement trainers for CPATT and other police training in Iraq. Some of these funds went to DoJ's ICITAP and OPDAT for law enforcement programs in Iraq, while some were administered directly by INL itself.²⁴ (See Figure 5.)



NOTE: This diagram is based on information available as of April 2007. Given the very ad hoc and fluid nature of the organization of the U.S. footprint in Iraq, many of the relationships and numbers of police advisors contracted certainly have changed since then. Other civilian corporations in addition to Dyncorp Intl and MPRI have likely received contracts for police training as well. There are undoubtedly other agencies and fund sources involved in some sort of police training not reflected in this diagram, as the situation is so complex it is difficult to identify and capture all police assistance and training in one diagram. The purpose of this diagram is not to provide a complete and precise layout of all police training in Iraq, but rather to illustrate some of the key funding and staffing relationships to demonstrate the complexity, interagency nature, and cross-agency funding involved in U.S. police assistance and training in Iraq.

Figure 5. U.S. Police Training and Assistance in Iraq.

DoS INL directly contracted with DynCorp International to provide 690 International Police Liaison Officers (IPLOs) who provide assessment, training, and mentoring functions for Iraqi police in the field. INL funded DoJ’s ICITAP, which then contracted Military Professional Resources Inc. (MPRI), to provide 192 International Police Trainers (IPTs), who provide

assistance to Iraq's police training academies. INL also funded 143 Border Enforcement Advisors, 123 of whom were provided by an INL contract with DynCorp, and 20 of whom were provided by an ICITAP contract with MPRI.²⁵ DoJ's OPDAT had provided seven Resident Legal Advisors (RLAs) to Iraq as of February 2008. Six RLAs were deployed to Provincial Reconstruction Teams (PRTs) in Iraqi Provinces, with the seventh RLA in Baghdad.²⁶ The interagency arrangement provides that CPATT and MNSTC-I set overall requirements for the civilian security development mission, that Multi-National Force – Iraq (MNF-I) exercises operational control over IPLOs and IPTs supplied by INL and ICITAP, and that ICITAP and INL manage and oversee the contracts with service providers such as DynCorp and MPRI.²⁷

At first glance, it would seem that these interagency arrangements among DoS INL, DoJ ICITAP, DoD, and USAID for civilian police training, along with the international academies supported by DHS, more than replicate USAID's police training prior to 1974. However, it is important to note that ICITAP and INL's police training, unlike USAID's Cold War-era police training, is executed by contract police trainers, usually through the large contractors DynCorp and MPRI in the case of the police training in Iraq and Afghanistan. While using a private sector company to contract police trainers on a short-term basis does enable a rapid increase in the quantity of trainers available, it also has some inherent disadvantages when compared with the use of full-time USG employees to manage and conduct foreign police training. It is notable that in its heyday, USAID's OPS had 590 permanent employees, which included overseas advisors and trainers as well. As of 2007, to provide support for

the much-larger force of contracted police trainers in Iraq and Afghanistan, DoS INL increased its staffing by adding 64 permanent positions in Washington, and increasing its Embassy Baghdad staff to 20 people—to supervise a contracted police trainer force of some 833 police trainers in Iraq alone. However, these low ratios of permanent government employees to temporarily contracted police trainers allow the permanent staff to conduct only the minimal contract oversight and broad policy guidance for law enforcement development. They are not able to develop more-detailed procedures and greater operational oversight of police and law enforcement reform.

Simply using a contracting mechanism to conduct police training does not create the kind of institutional capacity in the USG that is required for a consistently effective approach to enabling local police to establish and maintain a safe and secure environment in a recovering state. Contracted police trainers often cannot or will not operate in nonpermissive environments, thus confining their training to the capital city or secure areas while leaving unsecured remoter areas of a country without desperately needed police trainers and mentors, as is often the case in Iraq and Afghanistan today. Moreover, if a particular contracted police trainer/mentor is identified as having superior ability to impart police skills and values in a foreign environment, there is no mechanism to keep that person on at DoS INL or elsewhere in the USG to help establish institutional knowledge and long-term capacity to manage and conduct foreign police training.

While DoS INL seems to be the agency most involved in foreign police training, with DoJ ICITAP somewhere behind it in this arena, neither of these offices nor any other USG agency has assumed a

definitive lead role for foreign law enforcement assistance to coordinate the diverse, multiagency array of foreign police training that has slowly grown as a result of institutional creep to fill the huge police training void created by the U.S. congressional cutoff of USAID police training activities in 1974. The lack of a lead agency with overall responsibility for foreign police training, similar to DoD's responsibility for foreign military training, carries with it a number of adverse consequences. The USG has no equivalent to the International Military Education and Training (IMET) Program to systematically bring police officers to the United States for training, such as DoD has for foreign military officers. The USG does not have a comprehensive assessment program, though one is in development, to identify the state of law enforcement and police in a foreign country. The USG has not developed what the military would call "doctrine," or agreed-upon and binding procedures and principles, to integrate State INL's emphasis on the enforcement aspect of police training with USAID's community policing and overall justice sector and ministerial reform programs.²⁸

In summary, the legacy of Section 660 of the Foreign Assistance Act enacted in 1974 prohibiting foreign police assistance continues to haunt efforts to train and reform police in stability operations. Since then, authorizations for police assistance have been provided by a series of amendments to Section 660, as well as new sections of the Foreign Assistance Act which allow police assistance "notwithstanding" provisions of Section 660. Also, some congressional appropriations suspend Section 660 prohibitions for a year at a time for specific programs, as is the case in several USAID administration of justice programs. The very large

police assistance efforts in Iraq and Afghanistan have been funded as part of congressional supplemental appropriations passed on a year-by-year basis. Police training is authorized by so many exceptions and specific pieces of legislation over the years since 1975 that it has become impossible to accurately account for money spent, identify all extant police programs, or even list all Section 660 exemptions. This patchwork of legislation has resulted in a diverse array of USG agencies becoming involved in justice sector reform, thus generating rivalries and turf wars which have yet to be satisfactorily resolved. As a result, there is no positive institutional mandate for foreign police assistance, no effective oversight of funding, and no coherent vision for police assistance programs.²⁹

A critical issue created by the lack of a coherent vision and interagency doctrine for police training in stability operations is the failure to distinguish clearly between “stability policing” and “community-based policing,” and to stipulate the timing and manner of the transition from one to the other during the transformation from a failed or failing state to a recovering state. A stability police force is a rapidly deployable, paramilitary police force capable of dealing with high-end threats such as organized criminal groups, insurgent or terrorist cells, organized looting, and large riots, for which local civilian police generally lack the capacity to mount an adequate response. A fragile state typically has areas of the country where criminal groups or insurgent groups hold sway; local police are absent, incapable, or intimidated; and only a military force complemented by stability police can reestablish local security. While the military force identifies and combats insurgent formations, stability police must identify and detain organized criminal

groups, as well as insurgent and terrorist cells often embedded in local societal structures and even in the local government. To combat these high-end threats, the stability police undertake such tasks as conducting complex investigations of criminal and terrorist groups, special weapons and tactics to arrest heavily armed criminal and terrorist suspects, hostage rescue, and crowd and riot control in response to major civil disturbances, and intelligence collection.³⁰

One challenge for U.S. stability operations is the lack of an equivalent stability police force in the United States. The United States does not have a federal police force as such for the domestic tasks mentioned above. The Federal Bureau of Investigation (FBI) limits itself to criminal investigation tasks and arrest of high-threat criminals or terrorists, but does not perform crowd and riot control, for example. The decentralized domestic U.S. police force structure, lacking a stability mission, leaves U.S. agencies operating overseas unpracticed and thus somewhat unprepared to assist and advise a national level or federal stability police force elsewhere. Other nations do have the equivalent of a stability police force such as the Italian Carabinieri, the French Gendarmerie, the Spanish Guardia Civil, and the Argentinean Gendarmeria Nacional. These nations have deployed police from these forces to actually conduct stability policing under UN auspices, and train host nation stability police forces, demonstrating a police training capacity that the United States currently lacks. But these foreign capabilities are in short supply and will not in any event be available during the initial stages of U.S. stability operations. Indeed, political considerations of donor nations may prevent these very capable forces from ever becoming part of a coalition stability operation.

Once military forces, preferably in conjunction with a stability police force, have established an adequate level of security, the long-term sustainability of the security sector depends on effective local police forces. Unfortunately, local police in many failing or fragile states are notorious for their incompetence, abusiveness, and corruption, and may have actually contributed to an insurgency or ethnic conflict by alienating the local population. An initial assessment of the police must determine whether the current police can be reformed, or whether an entirely new local police force must be built from scratch. In arriving at such a decision, several factors must be taken into account. First, how much of a local police organization has survived the higher-end conflict? Local police may have been driven out of their communities by insurgents, especially since they are normally the first government forces targeted by an insurgency. Second, how popular (or unpopular) is the police force with the local population? Even a venal and abusive police force may still be regarded by locals as a better alternative to being under the sway of insurgents or criminal elements. Finally, are there sufficient military or other forces available to provide public security while an entirely new police force is being trained? More often than not, the circumstances will dictate that the best alternative, given the time and resources available, is to reform the existing local police, even though they will likely have serious deficiencies.³¹

There is a significant degree of consensus concerning the vision for a reformed local police force. David Bayley in his study, "Democratizing the Police Abroad: What to Do and How to Do It," after surveying the relevant literature, identifies four normative prescriptions that, it is widely agreed, would

best enable a local police force to support democratic governance. Police must be **responsive** to the needs of the local community, and make their main priority serving the people by addressing these needs. A responsive police force both makes itself accountable to the people's interests and increases the government's legitimacy by demonstrating that the authority of the state is being used to serve the people. Police must be **accountable** to the rule of law rather than to arbitrary directions from particular government leaders or from within their own ranks. Police must objectively apply the rule of law and be held accountable by the judicial system. Police must **defend human rights** rather than be the principal abusers of them. In some cases, the rule of law and the defense of human rights may be in conflict, as when the law sanctions oppressive police practices. This creates a dilemma for the police that can be resolved by enlightened police leaders. Finally, democratic police must demonstrate **transparency**, by being open to observation and scrutiny by outsiders on a regular basis. Such transparency must apply to the conduct of individual police officers as well as the performance of the police institution as a whole.³²

In addition to the four general guidelines for "democratic police" reform sketched above, a related but more specific approach to local policing is what is known as "community-based policing," which is essential for the long-term sustainability of a safe and secure environment in a recovering state. USAID defines community-based policing as:

an approach to policing based on the concept that crime can most effectively be addressed through a partnership between the police and the community they serve. When put into practice, this approach to policing is generally characterized by consultation

by the police with communities; adaptation of police practices and strategies to the requirements of particular communities or localities; mobilization of the public to work with the police to prevent crime; and adoption of a mutual problem-solving methodology as the fundamental strategy of policing.³³

Community-based policing is essentially finding out what the local community's law enforcement problems are and helping them to solve them as a public-minded, service-oriented police force. It places the overwhelming emphasis for reform on the norm of "responsiveness" within the democratic policing paradigm discussed earlier.

The community policing model emphasizes that the main effort of local police must focus on the cultivation of a close relationship with the local community by means of mutual consultation. This focus involves more than simply reacting to local calls for help, but must include a proactive approach to crime prevention by identifying and resolving concrete security problems affecting the local community. The police must be in constant consultation with the local community in order to learn about local interests and needs. Once local security problems are identified, police must educate citizens regarding behavior required to prevent crime. These consultations with the local community must include opportunities for citizens to express complaints and comment candidly on the adequacy of local police efforts. These police consultations with the community have been achieved through various mechanisms, such as forming a central commission composed of key community leaders to meet with police, or forming neighborhood commissions of local citizens for "town hall" types of meetings with police. In some cases, local neighborhood watches have been

established to communicate regularly with police and help identify problems and prevent crime. The common denominator of community policing is that only a decentralized, local police force can develop the close relationship with those at the street level, which is required for success and long-term stability.³⁴

Community-based police who are familiar with their local neighborhood, and are accepted by that neighborhood, are essential to combat the increase in criminal activity which often follows a post-conflict transition, given that demobilized insurgents and soldiers turn to crime if suitable employment opportunities are not available. The surge in local criminal activity in post-conflict countries such as Afghanistan, Guatemala, and El Salvador, combined with the governments' inability to address the problem, was a major contributor to local discontent with the governments. Discontent with spiking local crime contributes to a tendency to seek authoritarian or vigilante solutions to the problem, which can return the state from recovering to failing in the stabilization continuum of the fragile-states framework. Effective community-based police thus become a key part of achieving the necessary end-state condition of a safe and secure environment with an established rule of law. (See Figure 6.)

Stability Policing

- Paramilitary police force to deal with high-end threats

Capable of:

- Complex investigations of criminal and terrorist groups
- Special weapons and tactics to arrest heavily armed criminals or terrorists
- Crowd and riot control of major civil disturbances
- Intelligence collection on high-end threats

Community-Based Policing

- Partnership between police and local community

Capable of:

- Police consultation with community
- Adaptation of police tactics to requirements of community
- Mobilization of community to help prevent crime
- Adoption of mutual problem-solving methodology

Figure 6. Characteristics of Stability Policing as compared with Community-based Policing.

Numerous attempts have been made to implement community-based policing both in the United States and in developing countries, particularly in Latin America, where the transition to democratic governments in the past decade has given impetus to police reform efforts. These initial attempts have provided mixed results, identifying significant obstacles to implementing community-based policing. Local police forces often lack sufficient personnel to patrol their beats and perform other traditional policing functions while managing relations with the local community through regular community meetings. Continuity is also a problem, as policemen are often rotated from the local force due to personnel reassignments for promotion or training, or due to the demand for officers in crisis areas. As a result, police often do not stay in

a local area long enough to develop effective relationships with a particular community. Another problem is that the organizational culture of local police forces is skeptical that community-based policing can actually help reduce local crime, preferring rather the approach of a strict application of the law to reduce crime. Such attitudes are often reinforced in hierarchical societies accustomed to centralized control of most institutions, with weak governments attempting to transition to democracy. In many societies of developing states, where local crime is on the increase, the local community members themselves may be skeptical of the value of community-based policing, preferring more-traditional authoritarian and repressive approaches to combating crime.³⁵

A key aspect of developing effective community-based policing is the distinction between the transfer of technical skills to local police, and the normative aspect of how those skills are applied in relation to the people of the community. Developing an effective, local, community-based police depends more on the values and attitudes of the local police force than it does on the technical skills they possess. Unfortunately, developing technical skills among police is easier, and generally receives greater attention, than reforming behavior and attitudes among local police forces. U.S. police assistance efforts generally focus on establishing a centralized police academy where new or recycled police officers receive training in the basic skills of police work. These academies do go beyond the mere technical fundamentals of police work, including courses on respect for human rights, acceptable and humane interrogation techniques, the rights of the individual under the host nation's system of law, as well as other issues of correct police behavior.

Police trainers then often visit local police units and provide refresher and reinforcement training on these skills and values.

However, when the police officer leaves the academy, or the police trainer on a temporary mission to a police force departs, the organizational culture of the police force tends to reassert itself, again becoming the dominant factor in determining a policeman's behavior towards the local population. The influence of organizational culture, and the need to reshape that culture into a more desirable context for community policing, cannot be overemphasized. An excellent definition of organizational culture, which highlights its influence on individual and group behavior, is found in the USAWC's *Strategic Leadership Primer*:

Organizational culture is the set of institutional, stated, and operating values, beliefs, and assumptions that people have about their organization that are validated by experiences over time. It evolves in consonance with the values, beliefs, and assumptions of the society in which the organization exists. The importance of understanding the culture is that, because of its informal power within the organization, it is often taught to new people, deliberately or by influence, as the "correct" way to think and act in response to both internal and external problems Cultural values define the boundaries of acceptable thought and behavior from such simple acts as the wearing of the uniform to more complex actions such as conducting combat operations.³⁶

The main challenge of reforming a local police force to implement community-based policing, then it is shaping the local police organizational culture to one with attitudes and values conducive to such police work. Here is where the role of the embedded

advisor with a local police force is critical. Police trainers at the national police academy, or trainers on temporary missions with a local force, may improve specific skill sets for local police; but they have a very limited influence on the organizational police culture, which is critical for any effective local policing, much less the demands of community-based policing. Only the embedded advisor, one who has gained sufficient trust with a unit to move beyond the mere teaching and coaching role to the macro advisory role, has any hope of influencing the organizational culture, which is the most-difficult challenge for any advisor. The advisor must establish rapport with his unit by developing an intimate understanding, respect, and trust with his host unit counterparts in order to employ the highest order of advising skills to shape the unit's organizational culture.³⁷

Influencing the organizational culture is one of the most difficult challenges even an insider can take on. But an outside advisor from another culture will find the task doubly difficult. However, shaping the organizational culture is the very task demanded in stabilization operations as it relates to local police forces. The advisor must identify and understand key aspects of both the organizational culture of the unit to which he is assigned and the local societal culture in which his unit operates. The advisor must not only evaluate his unit from the point of view of his own experience and his nation's policy goals, but also from the perspective of local societal values. An advisor can make the strongest argument for change when he can identify significant divergence between the values of the police unit and those of the local society. He can encourage a change in values that both enhances the norms required for community policing, and brings the lo-

cal police subculture into greater harmony with the local society. This approach contrasts markedly with feckless insistence that a change in policing methods should be made because “this is the way it is done in the United States.”

Organizational cultural reform requires that the advisor influence police leaders to develop and implement an appropriate vision for reform within their units. Policies must be implemented that measure and emphasize the appropriate conduct and outcomes for community-based policing. Police leaders must allocate resources and establish decentralized organizational structures that support community policing. Unit rewards and sanctions must emphasize the behavior desired of a responsive and accountable police force. Police leaders must be role models of community-based policing norms. Implementing such ambitious police reforms is an incremental process that can take place only over an extended period. The embedded advisor attempts to nudge the process in the appropriate direction during his particular tour of duty.³⁸

While significant effort in many stabilization operations has gone into honing the high-end police skills of national level stabilization police forces or training local police forces in these high-end skills, less attention has been given to developing effective community-based policing skills and norms among local police, who will remain with their communities after a sufficient degree of civil security has been established. In fact, a current criticism of police training in Iraq and Afghanistan is that both national and regional police forces have been used as supplements to these nations’ military forces in COIN operations, and have even been described as “low-cost trigger pullers.”³⁹

The subordination of policing to COIN has left local and regional police incapable of protecting local communities from sectarian and criminal violence. The failure to orient local police forces to provide routine law enforcement and public-safety to local communities leaves a security vacuum in these communities which over the long term will undermine the state's legitimacy and its ability to establish effective governance and economic development.

In the ideal stabilization situation, the regional-level U.S. military advisor would focus on mentoring and training local military forces, while civilian police trainers from DoS INL, DOJ ICITAP, or, even better, another national police force such as the Italian Carabinieri, would train and mentor a host nation stability police force. At the appropriate time, ICITAP or INL would begin training and advising local police in community-based policing tasks to prepare for the transition to the normalization phase of stability operations. U.S. military advisors would coordinate and synchronize their activities with civilian advisors assigned to stability police and community-based police to ensure effective military-police cooperation and a smooth transition from military/stability police force control to local community police control of security sector operations. Mechanisms should be established to ensure that military or stability police provide responsive backup to local community police should a resurgent terrorist or organized criminal threat challenge community police capabilities.

For a variety of legal, bureaucratic, and capacity limitations discussed earlier, the military advisor will never encounter such an ideal situation for police training and mentoring. Capable foreign police forces like the Italian Carabinieri will not be available in the initial

stages of a stability operation, and, depending on the political circumstances, may never become available. DOS INL-contracted police trainers will initially focus on national level police training in secure cities, and will not be available in the nonpermissive provincial-level and local areas where the military advisor operates. Community-based police training is even more problematic, since USAID is still in the initial fielding stages of its community-based policing effort, while DoS INL has not focused at all on community-based policing as of yet. Given the legal, organizational, and funding obstacles, it will prove too difficult and time-consuming for U.S. military units and advisors at the regional level to reach back to the national level to try to pull police training resources out to the local provinces, especially when the environment remains nonpermissive. Even when the environment becomes permissive, the DoS INL-contracted police trainers who become available will likely focus more on training local police units in specific skills rather than advising and mentoring a local police force in the norms required for community-based operations.

The critical nature of both stability police forces and community-based police forces in creating a long-term sustainable recovery of a post-conflict state, combined with the de facto absence of professional civilian police trainers initially, compels the U.S. military effort at the provincial level and below to work with police forces. Assigning military advisors solely to military forces and ignoring police forces only exacerbates the perception of police inferiority to military forces, reduces the willingness of both military and police to cooperate in stabilization operations, and may inadvertently encourage police corruption and human rights abuses. The longer it takes to begin training and

advising police forces, the more ingrained the problems tend to become, and the more delayed will be the transition to effective local law enforcement and community policing essential to a sustainable and legitimate local government presence.

Of course, it is with reluctance that U.S. military forces take on the task of training and advising host nation police forces, and the involvement of military with police has been much criticized. Military forces are used to a very hierarchical command structure, with less-restrained use of force and a much-more-secretive mindset than police forces, norms which are all antithetical to what is required for community-based policing. Police, on the other hand, must acquire mediation skills, use discretion in the exercise of authority, and employ a more-facilitative style of supervision than is common within military forces. The military advisor who is assigned to a police unit must be aware of these differences and adapt accordingly.⁴⁰

Most military advisors are not adequately prepared for such police training and advisory tasks. Even military police advisors tend to have more familiarity with higher-end stability policing tasks, but lack knowledge of and experience with community-based policing. Clearly there is a need to better prepare military advisors, whether as part of an Advise and Assist Brigade or deploying independently, providing them with at least rudimentary orientation and instruction on both stability policing, community-based policing, and how and when to transition to community-based policing in stability operations. Such preparation would help ensure that “no harm is done” while military advisors work with police units until professional civilian police trainers and mentors arrive on the scene to take over. In the worst case, such civilian police

mentors may never arrive, and the local community may be left with the police that the military advisory effort has prepared, or local police who have received only host nation equipment and training, however minimal that may be. The latter circumstance only reinforces the need for military advisors to be prepared and willing to train and mentor local police forces.

Military advisors unexpectedly assigned to advise and mentor police forces when they are not adequately prepared for such a mission can sympathize with the long-ago lament of U.S. Marine Corps Captain Herbert S. Keimling. During the U.S. intervention in Nicaragua to fight the Sandino insurrection in 1933, Captain Keimling found himself assigned as the Chief of Police in Managua, Nicaragua. He made the following observation in a report to his superior:

I hope it is possible that you can put it across to have the Marine Corps get up a pamphlet in practical police work. . . . I believe it should be made part of the law course in the Marine Corps Schools in Quantico. It is very important that when the Marines capture a place for the Navy in a foreign country that we have officers competent to handle one of the most important functions of getting in touch with the natives.⁴¹

Given similar circumstances, the U.S. military effort at the provincial level or below must address both military and police units as part of comprehensive security sector reform. Military advisors should be embedded with stability police and community-based police as well as military units until civilian police mentors become available, if that even happens. At a minimum, the advisor must ascertain the capabilities of local police forces in the area, their attitudes towards and willingness to cooperate with military

forces, and the degree to which corruption and human rights abuses are prevalent within the police force. In some extreme cases, corruption and abusiveness will be so pervasive that the long-term solution may require disbandment of the force and creation of a new civilian police force. The more-likely case is that reform can begin by identifying the most-corrupt and abusive police leaders and working with/pressuring host nation authorities to remove these leaders from the force and replace them on an individual basis. Obviously, greater supervision and anti-corruption measures over the force would also be necessary.

Once the foregoing essential step is completed, military advisors can begin to train in those police tasks of which they are or can quickly become knowledgeable. Weapons handling and marksmanship, equipment maintenance, and some of the higher-end police skills are the most likely tasks in which military advisors can initially have some positive impact. However, when advising a strictly local police force as opposed to a national or regional level stability police force, the advisor must never lose sight of the fact that the desired goal is an effective community-based police force which is responsive, accountable, transparent, respectful of human rights, and cooperative with the local population in preventing crime and ensuring an acceptable level of personal security for the community. Involving the police in COIN operations must not be allowed to negate or override the ultimate purpose of the police to provide local law enforcement. The most-effective contribution the military advisor can make is to instill an attitude and shape the organizational subculture of the local police such that serving the local population and cooperating with it to solve problems and ensure a safe and secure environment are the predominant goals.

The successful recovery of the host nation from a prolonged conflict, as well as the success of U.S. stability operations in that nation, ultimately depends most of all on establishing effective community-based police. While the best way to achieve this end is by the early deployment of professional civilian police trainers and mentors who are prepared to operate in a foreign cultural environment, the USG has not yet developed the institutional capacity to promptly provide such a police training effort. The legal restraints on training foreign police that have grown up over time, combined with fractionalization of specific aspects of police training and funding among a variety of USG agencies, ensure that truly effective and responsive training of both stability police and community-based police as part of U.S. stability operations will be a long time in coming. U.S. military forces at the regional level and below cannot wait for the civilian police trainers to show up. Military advisors must therefore become involved in assessing and mentoring police forces early on, training them in critical stability police tasks, but guiding and mentoring them to ultimately become a community-based police force responsive to their citizens.

In sum, we arrive at the following seven conclusions.

- 1. The U.S. Government continues to lack the capacity for timely deployment of civilian police trainers in the early phase of stability operations.** The small but reasonably coherent and well-organized police training and assistance programs conducted by USAID's OPS were ended with congressional passage of Section 660 of the Foreign Assistance Act in 1974. Since then a variety of legislation and appropria-

tions has funded numerous agencies to conduct police training programs, often on a temporary year-to-year basis, and as exceptions to the standing prohibitions on police assistance of the still-in-force Section 660. As a result, responsibility for foreign police assistance is now shared primarily among DoS INL, DoJ ICITAP and OPDAT, and USAID, but other agencies such as DHS CBP and FLETC also have pieces of the foreign police training action. Each new police assistance program requires new and unique funding and a new interagency agreement for implementation. Once these arrangements are made, the lack of active federal employees or standing reserve arrangements for civilian police trainers requires that a contract be developed and bid to provide the necessary civilian police personnel, creating further delays in the arrival of assistance for host nation police forces. Once the contracted police trainers finally arrive in country, numerous contract and security restrictions may prevent their deployment to nonpermissive regions where police assistance is most critically needed.

2. Employing military personnel to train and advise civilian police is a bad idea, but leaving local populations with no police or subject to incompetent, corrupt, and abusive police is a far-worse idea. The use of military personnel to train host nation police has been justifiably criticized. Military personnel, even military police personnel, are not prepared to train and advise civilian police in such tasks as arrest procedures, criminal investigations, the nuances of working within local legal frameworks and court systems, crime prevention, and effective relations with local communities. Military intervention with police tends to skew training towards the higher-end stability policing tasks such as riot control, convoy security,

motorized patrolling, establishing checkpoints, and weapons training. The emphasis on such high-end tasks then makes the transition to community-based policing more difficult for local police, a transition essential for the long-term security of local communities. However, if local police forces are absent because of being targeted by insurgents, a security vacuum can be created which will be quickly filled by criminal elements, terrorist groups, rebounding insurgents, or nonstate paramilitary organizations—all very negative developments for security sector reform. Allowing an abusive and corrupt local police force to operate unchecked can create conditions wherein local populations will turn to insurgents or terrorist elements for redress. In the absence of civilian police trainers to rectify these conditions, local military forces are left with no choice but to become involved with local police to avoid an inevitable deterioration in local security conditions.

3. Distinguish between stability policing on one hand, and community-based policing on the other; transition to the latter at the appropriate phase of stability operations. Stability policing is normally conducted by a rapidly deployable, paramilitary police force formed on the model of the Italian Carabinieri, the French Gendarmerie, or the Spanish Guardia Civil, for example. A stability police force is required during the early phase of stability operations to deal with high-end threats such as organized criminal groups, insurgent or terrorist cells, and large riots, which overwhelm local police capabilities. Community-based policing is based on the concept that local security is best maintained by a partnership between the police and the community they serve. Community-based police consult with the local community through a variety

of mechanisms and adapt police practices to the security needs of the local community. In the ideal case, community-based police actually mobilize the public to help prevent crime and infiltration of insurgents or terrorists back into the community. A transition from temporary stability policing to more long-term community policing by a permanent local police force is critical for the sustainability of the security sector in stability operations.

4. Normative standards are more critical than technical skills for community-based policing. Most initial police training, even by civilian police trainers, tends to focus on technical police skills imparted at a centralized police academy. While such training is critical to develop more-competent police, community-based policing, which depends on a positive, mutually reinforcing relationship between local police and the community they serve, will not happen without reform of abusive and corrupt police practices. The normative principles required for effective community-based policing include responsiveness to the local community, accountability to the rule of law, defense of human rights, and transparency to scrutiny from outside the police institution. Improving the technical skills of a local police force without concomitant normative reforms only creates more competent thugs.

5. Shaping the police organizational subculture in the context of the local societal culture is critical for police reform that makes community-based policing possible. The police organizational subculture is the set of institutional, stated, and operating values, beliefs, and assumptions that police internalize about their organization and that have been validated by experiences over time. These organizational cultural values define the boundaries of acceptable police thought

and behavior, especially when police encounter a unique situation that lacks a standard legal or operating procedure, as may often be the case in a volatile and complex security environment characterized by stability operations. When the actual police subculture condones or even encourages abusive and corrupt behavior, the only way to reform police behavior is to shape police culture to achieve necessary normative reforms. Changing organizational culture is difficult but not impossible, and is best done in the context of local societal values rather than by attempting to impose U.S. or other foreign cultural values on a native local police force. Shaping the police organizational culture in the direction of normative reform requires an intimate knowledge of both the local police subculture and the local societal culture in which it operates.

6. Embedded advisors have the best opportunity to shape organizational culture and achieve a small degree of genuine police reform. An advisor must live with and learn about the local police force in order to “get into their heads” and understand the unspoken rules and forces that govern their daily behavior and create the context of their local organizational subculture. The advisor must observe the police interaction with the local society, and determine whether police behavior conforms to local societal values or clashes with them; he must then identify how best to influence the organizational culture of the local police to encourage greater responsiveness to and support from the local community. The advisor must develop rapport with police leadership to encourage the development and implementation of an appropriate vision for police reform. The advisor must also identify police leaders who are so corrupt and abusive that they fall outside both their societal and organizational cultural

norms, and then report and encourage the removal (confidentiality is critical to avoid loss of advisor effectiveness) of such leaders both through the U.S. and host nation chains of command. Only an advisor embedded with a unit for a significant period of time can gain the needed cultural knowledge, access, and rapport to mold organizational culture in the desired shape.

7. Keep expectations realistic. The ideal end state in the security sector of a reformed local police force conforming to democratic norms and implementing effective community-based policing, is a sustained and safe local security environment. Achieving it is one of the greatest challenges of stability operations. There are significant variables beyond the control of regional U.S. military forces and advisors that may inhibit or even prevent achieving this ideal end state. The political leadership of the host nation must have the political consensus and will to support a reformed local police force. Where ethnic conflict or ideological divisions fracture the political leadership, political factions may attempt to control local police to further their own ethnic or electoral ends, rather than serve the local community. Local societal values of the host nation may be vastly different from those of Western cultures, and may tolerate or even encourage more authoritarian local law enforcement as opposed to a community-based approach, especially where the population is harassed by spiking crime rates. Even in the most favorable circumstances, shaping ingrained local police subcultures to conform to the norms of community-based policing will be a slow, incremental, and uneven process, characterized by numerous setbacks along the way. The local military force or advisors must accept such slow progress with patience,

maintain unit and personal integrity in accordance with their own values—and depart, having left the message with host nation leaders that there is perhaps a better way of doing things, which may be the seed for future progress long after the military unit or advisors have gone.

ENDNOTES

1. *Field Manual (FM) 3-24, Counterinsurgency*, Washington, DC: U.S. Department of the Army, December 15, 2006, p. 6-19.

2. *Ibid.*, pp. 6-19 - 6-22.

3. *Field Manual (FM) 3-07, Stability Operations*, Washington, DC: U.S. Department of the Army, October 6, 2008, p. 2-10.

4. *Ibid.*, p. 3-6.

5. *Ibid.*, p. 3-7.

6. *Ibid.*, p. 3-7.

7. *Ibid.*, pp. 6-17 - 6-18.

8. Robert Tabor, *War of the Flea: The Classic Study of Guerrilla Warfare*, Washington, DC: Brassey's, Inc., 2002, pp. 123-124.

9. U.S. Comptroller General, *Stopping U.S. Assistance to Foreign Police and Prisons: Report to the Congress*, ID-76-5, Washington, DC: General Accounting Office, February 19, 1976, pp. 9-17.

10. *Ibid.*, p. 4.

11. *Foreign Aid: Police Training and Assistance*, Report to Congressional Requestors, GAO/NSIAD-92-118, Washington, DC: U.S. General Accounting Office, March 1992, pp. 12-13.

12. Office of Inspector General, *Management of Homeland Security International Activities and Interests*, OIG-08-71, Washington,

DC: U.S. Department of Homeland Security, June 2008, pp. 122-123.

13. U.S. Department of Justice, International Criminal Investigative Training Assistance Program, *About ICITAP*, July 14, 2009, available from www.usdoj.gov/criminal/icitap/press/fact-sheets/2009/july/about-icitap-fact-sheet-07-14-09.pdf.

14. *Ibid.*

15. U.S. Department of Justice, International Criminal Investigative Training Assistance Program, *ICITAP's Historical Milestones*, February 2, 2009, available from www.usdoj.gov/criminal/icitap/expertise/historical-miles.html.

16. U.S. Department of Justice, International Criminal Investigative Training Assistance Program, *ICITAP Structure & Staffing*, available from www.usdoj.gov/criminal/icitap/press/fact-sheets/2009/july/structure-n-staffing-fact-sheet_07-14-09.pdf.

17. U.S. Department of Justice, Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), available from www.usdoj.gov/criminal/opdat/mission/mission.html.

18. *Assistance for Civilian Policing, USAID Policy Guidance*, Washington, DC: U.S. Agency for International Development, December 2005, pp. 2-3.

19. U.S. Department of State, INL/CIV, *General Information Fact Sheet*, January 2009, available from www.state.gov/p/inl/rls/fs/113190.htm.

20. U.S. Department of State, INL/CIV, *Civilian Police Fact Sheet*, January 2009, available from www.state.gov/p/inl/rls/fs/113191.htm.

21. U.S. Department of Homeland Security, *Federal Law Enforcement Training Center Home Page*, available from www.fletc.gov/training/programs/international-training-and-technical-assistance-itt/international-law-enforcement-academies.

22. *Foreign Assistance: Status of Rule of Law Program Coordination*, GAO/NSIAD-00-8R, Washington, DC: U.S. General Accounting Office, October 13, 1999, pp. 1, 3, available from archive.gao.gov/f0902b/163010.pdf.

23. *Ibid.*, p. 2.

24. Anne W. Patterson, "Contracting for the Iraqi Security Forces," Testimony before the House Committee on Armed Services, Subcommittee on Oversight and Investigation, April 25, 2007, available from www.globalsecurity.org/military/library/congress/2007_hr/070425-patterson.pdf.

25. *Ibid.*

26. U.S. Department of Justice, *Fact Sheet: Department of Justice Efforts in Iraq*, February 13, 2008, available from www.usdoj.gov/opa/pr/2008/February/iraq-factsheet021308.pdf.

27. Patterson.

28. These institutional shortfalls in U.S. capacity for police training were identified by a State Department official at the *Conference for Building Capacity in Stability Operations: Security Sector Reform, Governance, and Economics*, jointly sponsored by AUSA, CNA, and PKSOI, Washington, DC, April 6, 2009.

29. David H. Bayley, "U.S. Aid for Foreign Justice and Police," *Orbis*, Vol. 50, Issue 3, Summer 2006, p. 470.

30. Terrence K. Kelly *et al.*, *A Stability Police Force for the United States: Justification and Options for Creating U.S. Capabilities*, Santa Monica, CA: RAND Corporation, 2009, pp. 23-31.

31. James Dobbins *et al.*, *The Beginner's Guide to Nation-Building*, Santa Monica, CA: RAND Corporation, 2007, p. 60.

32. David H. Bayley, *Democratizing the Police Abroad: What to Do and How to Do It*, Washington, DC: U.S. Department of Justice, National Institute of Justice, June 2001, NCJ 188742, pp. 13-15, available from www.ncjrs.gov/pdffiles1/nij/188742.pdf.

33. U.S. Agency for International Development, *Assistance for Civilian Policing*, p. v.

34. Hugo Fruhling, "The Impact of International Models of Policing in Latin America: The Case of Community Policing," *Police Practice and Research*, Vol. 8, No. 2, May 2007, pp. 129, 130, 136.

35. *Ibid.*, pp. 134-136.

36. Colonel Stephen A. Shambach, ed., *Strategic Leadership Primer*, 2nd Ed., Carlisle Barracks, PA: U.S. Army War College, 2004, pp. 30, 32.

37. For more discussion of the difference between the advisor and the trainer, and the establishment of rapport and the exercise of influence with counterparts, see *Field Manual (FM) 3-07.1, Security Force Assistance*, Washington, DC: U.S. Department of the Army, May 2009, pp. 7-5 - 7-6, 9-1 - 9-3.

38. Shambach, pp. 34-36.

39. William Rosenau, *Low-Cost Trigger Pullers: The Politics of Policing in the Context of Contemporary "State Building" and "Counterinsurgency"*, Santa Monica, CA: RAND Working Paper, October 2008, pp. 9-13.

40. Bayley, pp. 38-39.

41. Richard Millett, *Guardians of the Dynasty: A History of the U.S. Created Guardia Nacional de Nicaragua and the Somoza Family*, Maryknoll, NY: Orbis Books, 1977, p. 73.

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