

Infantry: Policing the Consolidation Area

A Monograph

by

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Abstract

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The 2017 US National Security Strategy identified the need to rebuild the military to deter, and if needed, defeat peer adversaries. Released in parallel with the National Security Strategy, the 2017 US Army Field Manual 3-0, *Operations*, established consolidation of gains as one of the Army's four strategic roles in support of the joint force. The consolidation of gains is critical as it translates tactical success to strategic victory. One of the goals of consolidation of gains is the military's transfer of a stable security environment to other legitimate authorities. The Army executes operations to consolidate gains through decisive action which includes the simultaneous execution of offensive, defensive, stability, and defense support of civil authority tasks. The Army's ability to conduct security tasks, specifically the establishment of civil security, is critical to establishing a stable environment. The establishment of civil security hinges on the Army's ability to conduct policing operations following the conclusion of major combat operations. The restoration of civil security deters adversarial or criminal organizations from exploiting voids in local security presence and facilitates the smooth transfer of power to local or international civil authorities. The US Army is currently unprepared to conduct these operations due to the quantity and disposition of military police throughout the force. Historical precedence supports the use of infantry forces to fill this gap, but changes in policy, doctrine, and training are required to ensure immediate success.

Contents

Abstract	iii
Acknowledgements	v
Abbreviations	vi
Introduction	1
Background of the Study	1
Definition of Terms	4
Research Questions	5
Literature Review	7
Methodology	12
Kosovo.....	17
Hurricane Katrina	28
Analysis and Conclusions	39
Recommendations	41
Bibliography	44

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Abbreviations

ADP	Army Doctrine Publication
ADRP	Army Doctrine Reference Publication
ATP	Army Techniques Publication
DSCA	Defense Support to Civil Authorities
FM	Field Manual
JTF	Joint Task Force
KFOR	Kosovo Force
NATO	North Atlantic Treaty Organization
UN	United Nations
UNMIK	United Nations Mission in Kosovo

Introduction

Background of the Study

Due to the complexity and lethality of combat, the US Army is challenged to accomplish the execution of policing tasks during the transition from combat to stability operations. Combat operations frequently degrade local governance and the security situation, creating a power vacuum that can threaten the achievement of the United States' political aim. The ability to fill this void before restoring local government and security forces is critical in translating tactical success into strategic victory. Historically, the United States' strategies for addressing this problem have utilized means such as the employment of combat troops, or the establishment of a constabulary force.¹ The recent assignment of combat troops to this role during the conflicts in Iraq and Afghanistan requires a reassessment of their preparation for this task as the US Army shifts focus to near-peer competition.

The 2017 US National Security Strategy identified growing competition from China, Russia, Iran, and North Korea as a threat to US national interests.² To combat this threat, the National Security Strategy identified the need for "...rebuilding our military so that it remains preeminent, deters our adversaries, and if necessary, is able to fight and win."³ Working in parallel with the development of the National Security Strategy, the US Army began a revision of its doctrine, publishing the first series of revised manuals in late 2017. One of the major changes in the Army's manuals was an increased emphasis on the preservation of tactical success through

¹ Kenneth J. Miller, "Consolidating Gains at the Division," in *Large-Scale Combat Operations: The Division Fight*, ed. Dennis S. Burket, The Art of Tactics (Fort Leavenworth, KS: US Army Command and General Staff College Press, 2019), 66; "The U.S. Constabulary in Post-War Germany (1946-52)," US Army Center of Military History, last modified April 2000, accessed January 29, 2020, <https://history.army.mil/html/forcestruc/constab-ip.html>.

² The White House, *National Security Strategy of The United States of America* (Washington, DC: Government Printing Office, 2017), 3–4.

³ Ibid., 4.

the consolidation of gains. The new manuals defined consolidation of gains as the “...activities to make enduring any temporary operational success and to set the conditions for a sustainable security environment, allowing for a transition of control to other legitimate authorities.”⁴ Field Manual 3-0, *Operations*, emphasized this by identifying consolidation of gains as one of the Army’s four strategic roles in support of the joint force.⁵ Army Doctrine Reference Publication 3-0, *Operations*, further highlighted the importance of consolidation of gains by adding the consolidation area to the Army’s operational framework, specifying an area to consolidate gains through security and stability tasks.⁶ In addition to identifying the Army’s role in conducting consolidation of gains, and designating where these operations should occur on the battlefield, the revised doctrine provided specific guidance on the capabilities required for the mission. Field Manual 3-0, *Operations*, outlined these requirements stating that, “operations to consolidate gains require combined arms capabilities and the ability to employ fires and manage airspace but at a smaller scale than large-scale combat operations.”⁷ Under the current force structure, the infantry brigade combat team or division is best suited to fulfill the mission to consolidate gains as prescribed in current doctrine.

While the Army’s strategic role to consolidate gains is new, its performance of the stability tasks supporting that role is not. Despite changing the name from full-spectrum operations in 2011, US Army doctrine has described the execution of operations through decisive action since 2001.⁸ These operations include the simultaneous execution of offensive, defensive,

⁴ US Department of the Army, Army Doctrine Publication (ADP) 3-0, *Operations* (Washington, DC: Government Printing Office, 2019), 1–6.

⁵ US Department of the Army, Field Manual (FM) 3-0, *Operations* (Washington, DC: Government Printing Office, 2017), 1–14.

⁶ US Department of the Army, Army Doctrine Reference Publication (ADRP) 3-0, *Operations* (Washington, DC: Government Printing Office, 2017), 4–6.

⁷ US Army, FM 3-0 (2017), 8–1.

⁸ Bill Benson, “Unified Land Operations: The Evolution of Army Doctrine for Success in the 21st Century,” *Military Review* (March-April 2012): 5, 12, accessed February 27, 2020, <https://apps.dtic.mil/dtic/tr/fulltext/u2/a573761.pdf>.

and stability, or defense support of civil authority's (DSCA) tasks.⁹ The primary task in executing stability operations is to establish civil security, defined as "...the provision of security for state entities and the population, including protection from internal and external threats."¹⁰ One of the key capabilities in performing this function is the Army's ability to function as, or supplement, local police forces immediately following a conflict. The Army must have enough forces available in theater with the capability to conduct policing operations in order to translate tactical gains to strategic success. The thesis of this paper is that the application of infantry forces in a policing role is necessary for the successful execution of operations to consolidate gains.

The paper will analyze two case studies in support of this thesis. The first case study examines the role of infantry forces in a policing role during the first year of Operation Joint Guardian following the removal of Serbian forces from Kosovo in June 1999. The second case study investigates infantry forces role in the response during the weeks following Hurricane Katrina in August 2005.

Current US Army doctrine highlights the strategic role of consolidating gains, where it takes place on the battlefield, and the required capabilities for units performing the mission. However, there is a gap between the capabilities required by doctrine and the training and doctrine framework supporting unit's execution. While military police units have the training necessary to conduct the policing operations needed to restore civil security, they lack the requisite combined arms capability. In contrast, infantry forces possess this combined arms capability but lack specific police training. Given the density of infantry forces available for large scale combat and the historical employment of the force, infantry formations must prepare for a policing role to facilitate the consolidation of gains.

⁹ US Army, FM 3-0 (2017), x.

¹⁰ US Department of the Army, Field Manual (FM) 3-07, *Stability* (Washington, DC: Government Printing Office, 2014), 1-2.

Definition of Terms

Title 10 Forces

Title 10 forces are active duty, Reserves, or federalized National Guard troops acting under the control of the President of the United States, and thus legally unable to perform domestic law enforcement missions under the Posse Comitatus Act.¹¹

Title 32 Forces

Title 32 forces are National Guard troops acting under the control of a state governor allowing the legal execution of domestic law-enforcement missions and are funded by either the state or federal government.¹²

Posse Comitatus Act

Passed in 1878, the Posse Comitatus Act prohibits the use of the federalized armed forces to enforce the laws of the United States except where authorized by the Constitution or Acts of Congress.¹³

Insurrection Act

The Insurrection Act authorizes the President to override the restrictions of the Posse Comitatus Act and use federalized armed forces domestically to restore order, prevent looting, or engage in other law enforcement activities.¹⁴

Based on historiography and doctrinal readings, the US Army is poorly postured to perform policing functions at the scale required for consolidation of gains to be successful. The requirements for conducting consolidation of gains lends the mission to an infantry unit no smaller than a brigade combat team. However, military police brigades are best trained to execute

¹¹ Committee on Homeland Security and Governmental Affairs US Senate, *Hurricane Katrina: A Nation Still Unprepared*, 109th Cong., 2nd session, Special Report 109-322 (Washington, DC: US Government Printing Office, 2006), 473, 476.

¹² Ibid., 473.

¹³ Ibid., 476.

¹⁴ Ibid.

these functions, and these units may not be available during operations to consolidate gains due to other mission requirements. Legal and logistic constraints may limit the planned use of supplemental National Guard and Reserve forces.

Research Questions

The primary research question used to guide this study is: are US Army infantry forces prepared for the policing requirements necessary to conduct operations to consolidate gains? Three secondary questions support the primary research question. First, does US doctrine address the requirement for infantry units to perform police functions during consolidations of gains? Second, what are the differences between infantry and police forces? Finally, what are the challenges in deploying Title 32 forces to perform police functions during operations to consolidate gains during large scale combat operations?

This study focused research on the use of infantry forces in a policing role during the consolidation of gains. While armor forces possess the capabilities required by US Army doctrine to conduct consolidation of gains, their focus on fighting from a platform, and lack of dismounted personnel, make their fulfillment of this mission unlikely. The other delimitation of this study is that it considers infantry force's actions immediately following armed conflict or a natural disaster driving a quick transition of responsibility for policing tasks to civilian or local forces. For the Kosovo case study, this restricts the examined period to June 1999-2000, while the entirety of military action is considered during the Hurricane Katrina Case study. Two assumptions underscore the conduct of this study. First, that consolidation of gains will remain a strategic role of the US Army. Second, that future combat operations or disasters will continue to create power vacuums presenting a hurdle to the restoration of civil security.

This study consists of five sections. Section one includes the background of the study, statement of the problem, definition of terms, hypothesis, research questions, delimitations, and assumptions. Section two provides a review of the relevant literature focusing on US Army

doctrine's requirement for infantry forces to perform policing functions, the differences between infantry and police forces, and specific challenges surrounding the deployment of Title 32 forces. Section three presents the methodology used in the conduct of the study. It highlights the selection of the cases utilized, the benefits of a structured focus comparison, and a discussion of the source of the case data. Section four provides a structured focused comparison of two case studies. Section five includes an assessment of the hypothesis, analysis of the cases, and recommendations.

Literature Review

Historically, the US Army has executed policing operations by employing combat troops or establishing a constabulary force.¹⁵ While constabulary forces may be a long-term solution, the Army must be prepared to perform this function immediately following the cessation of large-scale combat. While current US Army doctrine aligns this task with maneuver forces such as infantry brigade combat teams, the contemporary doctrine, training, and policies concerning their employment does not fully support this mission. Army Doctrine Publication 3-0, *Operations*, highlights this point by identifying that historically forces trained solely in offensive and defensive tasks are ill-prepared for the conduct of stability operations, while those trained in stability tasks struggle to perform offensive and defensive tasks during large scale combat operations.¹⁶

US Doctrine Requirement for Infantry to Conduct Policing Operations

Army Doctrine Publication 3-0, *Operations*, introduces the concept of operations to consolidate gains. While this manual defines the scope and importance of operations to consolidate gains, and designates where they occur on the battlefield, it neglects to outline the types of units that are best suited to perform them.¹⁷ Army Field Manual 3-0, *Operations*, provides additional guidance on the conduct and importance of operations to consolidate gains, but significant gaps in implementation remain. The manual accounts for the requirement for supplemental military police forces when the theater army conducts operations to consolidate gains, but does not address the same additional requirement for corps and below.¹⁸ Instead, the manual highlights that corps or divisions should receive additional combat power, a division or

¹⁵ Miller, “Consolidating Gains at the Division,” 66; “The U.S. Constabulary in Post-War Germany (1946-52).”

¹⁶ US Army, ADP 3-0, 3-3.

¹⁷ Ibid., 1-6, 4-4.

¹⁸ US Army, FM 3-0 (2017), 2-3, 4-24.

brigade combat team respectively, to execute this mission..¹⁹ The application of additional maneuver forces is in line with the requirement outlined in Army Field Manual 3-0, *Operations*, that units conducting consolidation of gains possess combined arms capabilities, and the ability to employ fires and manage airspace..²⁰ Although initial entry forces possess the capability to conduct security and stability tasks, the manual notes that forces identified to conduct operations to consolidate gains should be specifically trained and rehearsed in their execution..²¹

While the Army's doctrine on the execution of stability tasks does account for the need to act as a police force, it also highlights the limitations and supplementation required when performing this role. Army Field Manual 3-07, *Stability*, notes that the military should plan to provide training and support to the host nation's law enforcement personnel..²² The manual further accounts for the Army's need to assume the role of the police force if hostilities have completely degraded local capability, but identifies that military forces lack the training and equipment required to perform this role..²³ Army Training Publication 3-07.5, *Stability Techniques*, provides further details on the Army's requirement to perform policing tasks, but also notes deficiencies in the required capabilities. Just as in Army Field Manual 3-07, *Stability*, the manual identifies that diminished host nation capabilities may require that US military forces perform civil police functions in the early phases of establishing stability..²⁴ However, Army Training Publication 3-07.5, *Stability Techniques*, adds the guidance to distribute military police among units performing this role, to provide advice and training on the conduct of policing

¹⁹ US Army, FM 3-0 (2017), 1–35.

²⁰ Ibid., 8–1.

²¹ Ibid., 4–25.

²² US Army, FM 3-07 (2014), 1-2,1-3.

²³ Ibid., 1–16.

²⁴ US Department of the Army, Army Techniques Publication (ATP) 3-07.5, *Stability Techniques* (Washington, DC: Government Printing Office, 2012), 3–4.

tasks..²⁵

The military's requirement to provide DSCA in the United States also highlights areas of concern for an infantry force's ability to execute policing tasks. Army Doctrine Publication 2-28, *Defense Support of Civil Authorities*, states that the military must be prepared to immediately execute direct law enforcement duties when exceptions are made to the Posse Comitatus Act in an emergency situation..²⁶ The tasks performed in this role may include patrolling with local law enforcement, providing security, or serving as a quick reaction force..²⁷ It recommends that before military forces execute these missions, particularly the handling of civil disturbances, units should receive specific training from military police or law enforcement personnel..²⁸ While the addition of operations to consolidate gains are a recent addition to US Army doctrine, the associated tasks have been present since the development of the post Air Land Battle doctrine in the early 2000s.

Infantry Versus Police Forces

Although significant differences exist between the military and civilian law enforcement agencies, both play a critical role in achieving the stability required to translate tactical victories into strategic success. Historically, military force alone has proven insufficient in achieving the security and stability necessary to obtain the strategic ends desired by the US government..²⁹ Law enforcement plays a critical role in establishing security; however, military forces can expect to fill this role early in a conflict before civilian policing forces arrive in theater..³⁰ This is because while military forces are designed to deploy to a theater of operations quickly, civilian policing

²⁵ Ibid., 3–5.

²⁶ US Department of the Army, Army Doctrine Publication (ADP) 3-28, *Defense Support of Civil Authorities* (Washington, DC: Government Printing Office, 2019), 4–25.

²⁷ Ibid., 4–28.

²⁸ Ibid.

²⁹ Dilshika Jaymaha, Scott Brady, Ben Fitzgerald, and Jason Fritz, *Lessons Learned from U.S. Government Law Enforcement in International Operations*, PKSOI papers (Carlisle, PA: Strategic Studies Institute, US Army War College, 2010), 1.

³⁰ Ibid., 1,152-155.

organizations are not.³¹ The difference in the response time of military and police forces creates a critical gap that the military must be prepared to fill to prevent mission failure.³² The need to fill this gap is made more difficult due to conditions in theater requiring the training and community focused mindset of police forces, not the rapidly deployable military.

Police training focuses on developing a force that can respond to the needs of the populace by being available, helpful, fair, and respectful.³³ It is the education on these soft skills that most distinctly distinguish between military and police forces. While police forces also train on weapons handling, patrolling, investigations, and use of communications equipment, the incorporation of these tasks is secondary to those previously mentioned in building rapport and security in a community.³⁴ Although some military units such as military police, constabulary units, or special forces possess the training and resources needed to conduct police operations, the majority of military forces are not trained in the limited use of force, negotiation techniques, or de-escalation techniques required for success in this mission.³⁵

Deployment of Title 32 Forces

There are several structural and legal requirements for deploying Title 32 forces. The limited number of military police forces in the Army drives the need for the infantry brigade combat team's ability to perform policing functions during operations to consolidate gains. With a considerable portion of the military police force in the National Guard or Reserve force this is a critical consideration. Unlike active duty forces that are rapidly deployable, these forces require a minimum of a thirty-day notification to prepare for activation, and in some cases could require up

³¹ Michael J. Dziedzic, "Introduction," in *Policing the New World Disorder: Peace Operations and Public Security*, ed. Robert B. Oakley, Michael J. Dziedzic, and Eliot M. Goldberg (Washington, DC: National Defense University Press, 1998), 9.

³² Dziedzic, "Introduction," in *Policing the New World Order*, 9.

³³ David H. Bayley and Robert Perito, *The Police in War: Fighting Insurgency, Terrorism, and Violent Crime* (Boulder, CO: Lynne Rienner Publishers, 2010), 83–84.

³⁴ Ibid., 90.

³⁵ Dziedzic, "Introduction," in *Policing the New World Order*, 11–12.

to 180 days to mobilize.³⁶ Another factor to consider in utilizing National Guard or Reserve forces is the duration for which they can deploy. Depending on the purpose of the mobilization, the period for which these troops are activated ranges from thirty days to the duration of the conflict.³⁷ The final factor when considering the use of National Guard or Reserve troops is dwell time, the amount of time they spend at home in between mobilizations. For active duty troops, the desired dwell ratios established by the Secretary of Defense in 2007 were one year deployed, followed by two years at home.³⁸ For the reserve components, it was a one-year activation followed by five years of demobilization. The impact of these limitations with the deployment of National Guard and Reserve forces is that infantry forces should not rely on substantial supplementation from military police units in the execution of policing tasks in the early stages of a conflict.

Current US Army doctrine and previous historiography studies identify the requirement for infantry forces to perform police operations during operations to consolidate gains. Despite the agreement of these sources on the requirement, they also all identify that there are limitations to infantry forces' ability to perform effectively in this role without supplementation by specialty troops or policing agencies. The gap presented by infantry forces' inability to unilaterally perform this function during large scale combat operations places the Army's strategic role of consolidating gains at risk.

³⁶ "Army Mobilization and Deployment Reference 2019," February 22, 2019, 1–2, 2–13, <https://www.army.mil/e2/c/downloads/551694.pdf>.

³⁷ "Army Mobilization and Deployment Reference 2019," February 22, 2019, 2–2, 2–3.

³⁸ Andrew Feickert and Lawrence Kapp, *Army Active Component (AC)/Reserve Component (RC) Force Mix: Considerations and Options for Congress*, CRS Report, Congressional Research Service, December 5, 2014, 20, accessed February 27, 2020, <https://fas.org/sgp/crs/natsec/R43808.pdf>.

Methodology

The primary goal of this study was to test the research questions related to infantry forces' ability to conduct police functions during operations to consolidate gains under large scale combat conditions. This study was conducted through a qualitative examination using a case study approach. Case studies allow for the achievement of a high level of validity, even when only a small number of cases are analyzed.³⁹ This study is comprised of two historical cases where a break down in civil security occurred following a conflict, and infantry forces were employed in a policing role. For one of the cases, this followed the conclusion of armed conflict, while the other followed a natural disaster. These cases were compared and analyzed using the structured, focused comparison method. This method asks structured questions of each case in the study to standardize data collection, facilitating the comparison of cases and focuses on only the portions of the cases relevant to the primary research question.⁴⁰

The analysis of the structured focus questions supports the answering of the study's primary and secondary research questions. The primary research question is, are US Army infantry forces prepared for the policing requirements necessary to conduct operations to consolidate gains? Three secondary research questions support this primary question. Does US doctrine address the requirement for infantry units to perform police functions during the consolidation of gains? What are the differences between infantry and police forces? Finally, what are the challenges in deploying Title 32 forces to perform police functions during operations to consolidate gains during large scale combat operations?

To conduct the case analysis, this study used the structured, focused comparison method described by George and Bennett in their book, *Case Studies and Theory Development in the*

³⁹ Alexander L. George and Andrew Bennett, *Case Studies and Theory Development in the Social Sciences* (Cambridge, MA: MIT Press, 2005), 19.

⁴⁰ Ibid., 67.

Social Sciences. This method created to derive lessons from historical foreign policy dilemmas seeks to extract an explanation for a particular phenomenon from each case studied so that it can be applied to a greater theory.⁴¹ It is structured in that specific research questions are developed and applied to each case allowing comparison of the resulting analysis, and it is focused in that it selects specific portions of historical cases to analyze.⁴²

The first structured focused question was, what was the expectation of infantry forces to perform a policing role? The researcher expected to find that infantry forces were either directly or indirectly tasked to conduct policing operations in both cases. Thus, the performance of a policing role was either an explicitly stated mission or a supporting task.

The second question was to determine the policy and doctrine that forces in each case study were operating under. Understanding the policy in each case is critical for there are numerous legal constraints that require specific authorizations that concerned the military force's performance of police functions. Examining doctrine provided context for how the Army planned to employ its forces. The researcher expected to find that policy decisions enabled the use of military forces in a policing role, and that doctrine shaped the effectiveness of infantry troops in performing police operations.

The third question concerned assessing infantry forces effectiveness in performing policing operations. In looking at this, the performance evaluation criteria, as well as the effectiveness of infantry forces in the execution of police tasks, were considered for both cases. Expected quantitative indicators included a decline in the reported crime rate and a decrease in US forces response to violent civil disturbances. While direct observations from the troops on the perceived effectiveness of their operations, was considered, the media's perception of success, and the assessments offered in previous studies served as qualitative indicators.

⁴¹ George and Bennett, *Case Studies and Theory Development*, 67.

⁴² Ibid.

The fourth question examined the training and equipping that contributed to infantry forces' success or failure in performing police functions. The intent of analyzing this question was to determine if the forces assigned to the policing tasks received specific policing training and equipment before deployment. The researcher expected to find that additional training and equipping focused on policing tasks was both required and conducted to increase infantry forces ability to perform policing functions.

The fifth question considered the size of the military police force available in theater and what missions they were assigned. The emphasis on this question is to highlight the significant number of tasks that military police must conduct during operations to consolidate gains and thus their inability to either accept full responsibility for the performance of, or supervision over the execution of policing operations. The researcher expected to discover that in both cases, the number of military police available was insufficient to perform all required policing functions.

The final question concerned the difference in the training that National Guard and Reserve troops had compared to active duty troops, and how did it affect their ability to perform policing functions. The author expects to find that there were limited differences in the training received by the forces in each of the three components and that the most significant difference in their ability to perform policing tasks related to the legal policy permitting their performance of those tasks.

Case Selection

The first case study examines the US application of infantry forces in a policing role following major combat operations in Kosovo. Starting in 1990, a Serbian minority took control of the primarily Albanian province of Kosovo.⁴³ In 1996, when Kosovo's independence was not recognized during the 1995 Dayton Accords, a group of ethnic Albanians formed the Kosovo

⁴³ R. Cody Phillips, *Operation Joint Guardian: The U.S. Army in Kosovo*, Center of Military History Publications 70-109-1 (Washington, DC: US Government Printing Office, 2007), 7.

Liberation Army to fight for independence.⁴⁴ The Serbian response was to increase their military presence in Kosovo to push out or kill the ethnic Albanians.⁴⁵ Despite numerous international intervention efforts, the violence continued to escalate until the North Atlantic Treaty Organization (NATO) launched the 77-day air campaign, known as Operation Allied Force, that concluded when Slobodan Milosevic agreed to allow the entrance of the NATO peacekeepers and the withdrew all Serbian forces from the province of Kosovo.⁴⁶ The United States' role in this peacekeeping mission was known as Operation Joint Guardian, with Task Force Falcon serving as the initial entry force.⁴⁷ The assigned task of establishing a “safe and secure environment” immediately proved challenging due to the power gap left in the wake of the prompt departure of the Serbian forces.⁴⁸

The second case study examined the application of infantry forces in a policing role following a domestic natural disaster. Hurricane Katrina struck the southeastern United States on 29 August 2005, causing massive damage, most notably in the city of New Orleans, Louisiana. The storm damage shocked the region, causing a breakdown in local law enforcement while reports of lawlessness and looting spread.⁴⁹ As a result, thousands of National Guard, Reserve, and active duty troops were mobilized to provide security, conduct search and rescue missions, and move supplies.⁵⁰

In both cases, the conclusion of a crisis created a power vacuum that resulted in a lawless volatile environment similar to that expected during operations to consolidate gains during large

⁴⁴ Phillips, *Operation Joint Guardian*, 9.

⁴⁵ Ibid., 9–10.

⁴⁶ Ibid., 10–16.

⁴⁷ Ibid., 16–17.

⁴⁸ Ibid., 19, 21.

⁴⁹ James A Wombwell, *Army Support During the Hurricane Katrina Disaster*, The Long War Series Occasional Paper 29 (Fort Leavenworth, KS: Combat Studies Institute Press, 2009), 3.

⁵⁰ Wombwell, *Army Support During the Hurricane Katrina Disaster*, 4.

scale combat operations. To address this challenge, infantry forces were required to perform policing roles in the fulfillment of their assigned missions.

The data utilized in the conduct of this study comes from a variety of doctrinal, primary, and secondary sources. Doctrinal sources were used to understand the expectations for military forces to perform policing functions under varying conditions. Secondary sources served to provide context and background information to the case studies as well as support the findings and analysis. Primary source research focused on US government and United Nations documents, unit operation reports, after-action reviews, newspaper reports, and transcripts or videos of interviews with various military and government leaders.

Kosovo

Introduction

At the conclusion of World War II, communist Yugoslavia consisted of six republics including the Republic of Serbia, which contained the autonomous southern region of Kosovo..⁵¹ The region enjoyed relative stability until the early 1990s when the fall of communism across Eastern Europe drove many of Yugoslavia's republics to seek independence. Kosovo was unable to achieve this status as it did not have the right to self-government as an autonomous region..⁵² In 1989, Serbian leader, Slobodan Milosevic, seized control of the autonomous region, sending in ten thousand military troops..⁵³ The ethnic Albanians in Kosovo that ruled before Milosevic's takeover hoped that the 1995 Dayton Accords would grant Kosovo its independence. When this hope failed to materialize, the ethnic Albanians formed the Kosovo Liberation Army in 1996 to fight back against the Serbian security forces..⁵⁴ The conflict quickly escalated, and by August 1998 over fifteen hundred ethnic Albanians were killed, and another four hundred thousand expelled from Kosovo as part of the Serbian ethnic cleansing of the Albanians..⁵⁵

Beginning in 1998, the United Nations (UN) began attempting to end the violence in Kosovo leveraging its recent experience in Bosnia-Herzegovina. However, these primarily diplomatic efforts failed to achieve the desired results as violence continued to rise, leading NATO to threaten airstrikes to end the violence..⁵⁶ Under this threat, a final attempt to negotiate

⁵¹ Phillips, *Operation Joint Guardian*, 6.

⁵² Ibid.

⁵³ Ibid., 7.

⁵⁴ Ibid., 9.

⁵⁵ Ibid., 9–10.

⁵⁶ Ibid., 10–11.

peace began in February of 1999.⁵⁷ When this final effort, known as the Rambouillet Agreement, failed in March 1999, NATO launched Operation Allied Force.⁵⁸ This was a series of airstrikes consisting of a 77-day air campaign against Serbian forces in Kosovo. The air campaign ended on 10 June 1999, when Milosevic agreed to remove all Serbian forces from Kosovo and allowed NATO peacekeepers to enter.⁵⁹ The removal of Serbian forces, and a lack of support from the Federal Republic of Yugoslavia, left Kosovo in a state of crisis with the shutdown of the local government, schools, courts, and other vital services.⁶⁰

In March 1999, while the air effort was ongoing in Kosovo, the United States formed a ground element known as Task Force Falcon to execute a possible peace support mission in Kosovo.⁶¹ Led by Brigadier General John Craddock Task Force Falcon was a brigade-size element structured around the 3rd Brigade, 1st Infantry Division stationed in Germany.⁶² In early May, the Task Force shifted its focus to training for high-intensity combat operations when it appeared the air campaign would not achieve the desired results on its own.⁶³ When peace suddenly became viable in late May, the Task Force rapidly evolved to include forces already staged in Macedonia, so that it could rapidly enter Kosovo alongside NATO partners.⁶⁴ This shift meant that the majority of the units in the initial entry Task Force had not trained together. The revised initial Task Force consisted of US mechanized infantry, airborne infantry, armor, and

⁵⁷ Phillips, *Operation Joint Guardian*, 11–12.

⁵⁸ Phillips, *Operation Joint Guardian*, 11–13; Charles E. Kirkpatrick, “*Ruck It Up!*” *The Post-Cold War Transformation of V Corps, 1990-2001*, Center of Military History CMH Pub 70-94-1 (Washington, DC: Department of the Army, 2006), 460.

⁵⁹ Phillips, *Operation Joint Guardian*, 12-13,16.

⁶⁰ Michael J. Matheson, “United Nations Governance of Post-Conflict Societies: East Timor and Kosovo,” in *Post-Conflict Justice*, ed. M. Cherif Bassiouni (Ardsley, NY: Transnational Publishers, 2002), 526.

⁶¹ Kirkpatrick, “*Ruck It Up!*,” 514.

⁶² *Ibid.*, 514–515.

⁶³ *Ibid.*, 517.

⁶⁴ *Ibid.*, 515.

military police battalions that all received different tactical and cultural training for the peacekeeping mission.⁶⁵

Question 1: What was the expectation of infantry forces to perform a policing role?

United Nations Security Council Resolution 1244, signed 10 June 1999, demanded that Yugoslavia put an end to all violence in Kosovo. It also directed that Serbia withdraw all military, police, and paramilitary forces, and allow international security forces to enter Kosovo and restore international peace and security.⁶⁶ In support of this mission, the resolution authorized the deployment of both an international security element, the Kosovo Force (KFOR), and an international civil presence, the United Nations Mission in Kosovo (UNMIK).⁶⁷ The Kosovo Force was charged with establishing a secure environment and ensuring public safety until the UNMIK could assume responsibility.⁶⁸ The UNMIK was tasked to perform basic civilian administrative functions such as developing autonomous self-government, supporting the reconstruction of key infrastructure, and the maintenance of civil law and order, including the establishment of a local police force.⁶⁹

The preponderance of the policing requirements were intended to be fulfilled by the international civil forces, not the military. Unfortunately, the UNMIK received only a fraction of the international civil police authorized, which led to the failure to establish procedures for policing, arrest, or detention in Kosovo within the first ten months of operations.⁷⁰ The Kosovo

⁶⁵ Jayamaha, Brady, Fitzgerald, and Fritz, *Lessons Learned from U.S. Government Law Enforcement in International Operations*, 118; Phillips, *Operation Joint Guardian*, 18; Kirkpatrick, “*Ruck It Up!*,” 515–516.

⁶⁶ United Nations Security Council, *Resolution 1244 (1999)*, S/RES/1244 (1999) (New York: UN, 1999), 1–2, accessed September 30, 2019, https://peacemaker.un.org/sites/peacemaker.un.org/files/990610_SCR1244%281999%29.pdf.

⁶⁷ *Ibid.*, 2.

⁶⁸ *Ibid.*, 3.

⁶⁹ *Ibid.*, 3–4.

⁷⁰ Frederick M. Lorenz, “Civil-Military Cooperation in Restoring the Rule of Law: Case Studies from Mogadishu to Mitrovica,” in *Post-Conflict Justice*, ed. M. Cherif Bassiouni (Ardsley, NY:

Force, comprised mainly of military forces, were required to establish a secure environment. In support of the UNMIK, the military based Kosovo Force assumed the early policing responsibilities in Kosovo, while the UNMIK acted as advisors on policing matters while developing the capacity to assume full responsibility..⁷¹

As part of the Kosovo Force the United States' led multinational brigade east out of Camp Bondsteel and contributed troops to the task force..⁷² Task Force Falcon assumed responsibility for policing criminal misconduct, providing judicial review of those arrested, and establishing and running prisons..⁷³ Despite the United Nations Resolution specifying that the performance of these tasks would be short term, the task force conducted them through the first year of the operation..⁷⁴

Question 2: What was the policy and doctrine that guided force employment?

Although Task Force Falcon consistently performed policing operations during Operation Joint Guardian, doctrine provided a limited framework to guide its actions. The primary doctrine, US Army Field Manual 100-5, *Operations* (1993), addressed the requirement to conduct peacekeeping and peace enforcement missions but did not explicitly illuminate the need to conduct police or law enforcement operations internationally..⁷⁵ While it did not describe police operations, the manual did name versatility as one of the five tenets of Army operations

Transnational Publishers, 2002), 842.

⁷¹ United Nations Security Council, *Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo*, S/1999/799 (New York: UN, 1999), 12, accessed September 12, 2019, <https://www.securitycouncilreport.org/un-documents/document/kos-s1999-779.php>.

⁷² Phillips, *Operation Joint Guardian*, 19–21.

⁷³ Alton L. Gwaltney III, “Law and Order in Kosovo: A Look at Criminal Justice During the First Year of Operation Joint Guardian,” in *Lessons From Kosovo: The KFOR Experience* (Washington, DC: DoD Command and Control Research Program, 2002), 233.

⁷⁴ Ibid.

⁷⁵ US Department of the Army, Field Manual (FM) 100-5, *Operations* (Washington, DC: Government Printing Office, 1993), 13–5, 13–7.

emphasizing the importance of adapting and tailoring forces for any mission..⁷⁶ Versatility was a critical tenant in this operation as it called for units to accomplish missions across the range of military operations. Structured around an infantry brigade, Task Force Falcon demonstrated versatility by adapting to accomplish policing tasks in support of Operation Joint Guardian.

While supporting doctrine for infantry forces was available to guide the Task Force's actions, it did not provide techniques for infantry forces operating as police. Field Manual 100-23, *Peace Operations* (1994), noted that infantry forces could conduct peace enforcement operations when supplemented with military police to restore and maintain order and stability, but offered no further guidance on how to conduct these operations..⁷⁷ Field Manual 100-20, *Military Operations In Low Intensity Conflict*, indicated that military police and light infantry forces could be used for peacekeeping operations, but that a force tasked with this mission must be properly task-organized to conduct both police functions and defeat regular forces..⁷⁸ Despite the lack of specific guidance in doctrine, Task Force Falcon developed a successful model for conducting policing operations with the forces available. The 3rd Battalion, 504th Parachute Infantry Regiment, 82nd Airborne Division, exemplified the performance of these tasks by implementing a tracking system similar to those used by the police stations outside their base in North Carolina, to target crime in their area of operations..⁷⁹

While limited by the guidance provided in doctrine, policy decisions were far more prohibitive to Task Force Falcon's policing missions. Due to strict force protection requirements, US soldiers operating outside of their base at Camp Bondsteel were required to wear body armor

⁷⁶ US Army, FM 100-5 (1993), 2-6, 2-9.

⁷⁷ US Department of the Army, Field Manual (FM) 100-23, *Peace Operations* (Washington, DC: Government Printing Office, 1994), 7.

⁷⁸ US Department of the Army and Air Force, Field Manual (FM) 100-20/Air Force Pamphlet (AFP) 3-20, *Military Operations In Low Intensity Conflict* (Washington, DC: Government Printing Office, 1990), 4-4.

⁷⁹ Dana Priest, *The Mission: Waging War and Keeping Peace with America's Military* (New York: W.W. Norton & Company, 2004), 303, 316-318.

and Kevlar helmets, while travel was restricted to either helicopters or armored convoys.⁸⁰ While these policy-related requirements protected the soldiers, they hindered the ability to interact with the local populace in the manner necessary to conduct police operations.

Question 3: Were infantry forces successful in policing, how was their performance evaluated?

Task Force Falcon and its infantry soldiers were deemed successful in conducting policing operations. This is highlighted by the Task Force legal advisor Lieutenant Colonel Mark Martins' comment in the interim after-action review:

The model of U.S. soldiers serving as adjudicators, as impartial but authoritative referees, was something that applied across the [U.S. area of operations] many times a day. Soldiers were breaking up arguments and violence...[T]he KFOR soldier had credibility and authority from the perspective of all sides, and it made an enormous difference.⁸¹

Additional quantitative and qualitative measures support this assessment. Three months into the mission statistics indicated a significant decrease in the level of violence: the last week of August saw a significant decrease in the number of assaults, kidnappings, and murders.⁸² Qualitatively, the Task Force identified success most clearly by the cessation of the ethnic cleansing of Albanians, but also more subtly by the ability of crowds to gather in municipal areas without a riot ensuing.⁸³ Finally, the deputy legal advisor recommended that infantry troops success in policing tasks be captured for future operations when he asserted that, "A comprehensive review of doctrinal and training issues, such as basic law enforcement by line units, must be conducted in order to capture the successes of the policing aspect of the Kosovo mission."⁸⁴

⁸⁰ Cornelius Friesendorf, *How Western Soldiers Fight: Organizational Routines in Multinational Missions*, 1st ed. (Cambridge ; New York, NY: Cambridge University Press, 2018), 141–142.

⁸¹ Alton L. Gwaltney III and Cody M. Weston, "Soldiers as Cops, Judges, and Jailers: Law Enforcement by the U.S. Military in Peace Operations," in *Post-Conflict Justice*, ed. M. Cherif Bassiouni (Ardsley, NY: Transnational Publishers, 2002), 869.

⁸² Phillips, *Operation Joint Guardian*, 28.

⁸³ *Ibid.*, 28, 37.

⁸⁴ Gwaltney III, "Law and Order in Kosovo," in *Lessons From Kosovo*, 260–261.

Question 4: What training and equipping contributed to infantry unit's success or failure?

The original forces in Task Force Falcon received a mixture of peace support, peace enforcement, and conventional high-intensity combat training prior to deployment to Kosovo.⁸⁵ The evolving political situation required military leaders to modify their training to meet the type of environment they expected to enter. Upon its initial formation, the leadership expected to enter a permissive environment reflecting the conditions outlined in the Rambouillet Agreement. This meant that most of their training focused on peacekeeping and peace enforcement tasks.⁸⁶ When the political situation turned, and it appeared that the air campaign would not achieve the desired ends, the task force refocused training on high-intensity combat operations.⁸⁷ When the political climate shifted again, indicating that hostilities would soon conclude under different conditions then outlined in the Rambouillet Agreement, the task force had little time to redirect training efforts before deployment.⁸⁸ The result was that the force deployed to Kosovo without the specific training needed to conduct policing operations.

Due to the vast policing requirement that emerged, soldiers across the task force found themselves conducting inquiries into minor crimes despite not having any training or experience in criminal investigation.⁸⁹ Similarly, the non-military police members of the task force lacked training in crowd control techniques despite this being one of the most dangerous operations that

⁸⁵ Kirkpatrick, "*Ruck It Up!*," 514–515.

⁸⁶ Phillips, *Operation Joint Guardian*, 17; Kirkpatrick, "*Ruck It Up!*," 514–515.

⁸⁷ Kirkpatrick, "*Ruck It Up!*," 515.

⁸⁸ Gwaltney III, "Law and Order in Kosovo," in *Lessons From Kosovo* 238–240; Kirkpatrick, "*Ruck It Up!*," 515.

⁸⁹ Gwaltney III and Weston, "Soldiers as Cops, Judges, and Jailers," in *Lessons From Kosovo*, 887–888.

they performed.⁹⁰ Despite the shortcoming in police training before deployment, Task Force Falcon rapidly adapted to the environment.

The task force established an in-country training program that covered basic law enforcement, crowd control, use of non-lethal weapons, and the execution of town halls or initial negotiations.⁹¹ The shortage of training in these areas prior to deployment led to adjustments in the required training received by individuals and units that later rotated into Kosovo to join Task Force Falcon. Before deploying to Kosovo, or other missions with a law enforcement component, pre-mission training required that, “Soldiers conduct individual readiness training where they learn, among other skills, a variety of policing techniques, including personnel and structural searches, seizure, arrest, taking witness statements, and general detention processing.”⁹² Units began conducting mission rehearsal exercises to test the entire deploying forces' ability to perform the tasks necessary for the upcoming deployment.⁹³ The training deficiencies of the original members of Task Force Falcon were the driving force behind these additional training requirements for follow on forces.

Training was not the only shortcoming that Task Force Falcon experienced upon entering Kosovo. They soon discovered they lacked specific equipment needed to conduct policing operations. The infantry soldier's shortage of simple equipment, such as flashlights for searching vehicles, but possession of expensive night vision goggles, highlights the initial mismatch of forces to the policing mission requirements.⁹⁴ This mismatch in the equipment possessed by Task

⁹⁰ Larry Wentz, “Operations,” in *Lessons From Kosovo: The KFOR Experience* (Washington, DC: DoD Command and Control Research Program, 2002), 445.

⁹¹ Gwaltney III and Weston, “Soldiers as Cops, Judges, and Jailers,” in *Lessons From Kosovo*, 887–888; Larry Wentz, “Peacekeeper Quality of Life,” in *Lessons From Kosovo: The KFOR Experience* (Washington, DC: DoD Command and Control Research Program, 2002), 394.

⁹² Gwaltney III and Weston, “Soldiers as Cops, Judges, and Jailers,” in *Lessons From Kosovo*, 890.

⁹³ Ibid.

⁹⁴ Priest, *The Mission*, 284.

Force Falcon is also evident in the lack of, or unserviceable nature of, riot gear needed to quell uprisings safely..⁹⁵

Question 5: What role did military police units perform?

Although Task Force Falcon included a battalion size element of military police, they were not able to perform all required policing tasks. The initial intent for the military police was to perform their typical function of traffic control, area security, and enemy prisoner of war operations..⁹⁶ However, this rapidly evolved to include filling the policing void caused by the vacancies in the planned international police force..⁹⁷ While the military police had training that facilitated their performance of functions such as deterring crime through patrolling, border security, and handling civil disturbances, the scale and intensity of these missions were not anticipated..⁹⁸ Due to the significant level of crime in the area of operations, the military police and criminal investigation division soldiers were only able to handle the investigations of the most serious crimes, leaving the remaining soldiers to handle investigations of lesser crimes..⁹⁹ Due to the delay in the arrival of the UNMIK, the military police were also required to establish a prison to hold criminals awaiting trial..¹⁰⁰ This underestimation of the policing requirements in Kosovo drove infantry soldiers in Task Force Falcon to assume many of the duties normally performed by the military police.

Question 6: What was the difference in performance between Title 10 and Title 32 troops?

⁹⁵ Wentz, "Operations," in *Lessons From Kosovo*, 445.

⁹⁶ Jayamaha, Brady, Fitzgerald, and Fritz, *Lessons Learned from U.S. Government Law Enforcement in International Operations*, 115.

⁹⁷ *Ibid.*, 115–116.

⁹⁸ *Ibid.*, 114–116.

⁹⁹ Gwaltney III and Weston, "Soldiers as Cops, Judges, and Jailers," in *Lessons From Kosovo*, 887.

¹⁰⁰ Larry Wentz, "Coalition Command Arrangements," in *Lessons From Kosovo: The KFOR Experience* (Washington, DC: DoD Command and Control Research Program, 2002), 420–421.

During the initial stages of Operation Joint Guardian, Title 10 active duty troops made up the entirety of Task Force Falcon. Specialized troops such as civil affairs teams, physiological operations teams, and public affairs teams from US Army Reserves later augmented the active duty troops.¹⁰¹ As these specialized forces can be extremely beneficial to the conduct of the policing role assumed by the task force, their absence from the initial force structure is likely a reflection of the greater amount of time required to mobilize National Guard or Reserve forces.

Summary

The conclusion of the conflict in Kosovo in June 1999 and the subsequent withdrawal of all Serbian forces left the region in a state of lawlessness and chaos. The United Nations intervention to restore order consisted of two main efforts, the civil force known as the UNMIK and the security force effort known as the Kosovo Force. Although United Nations Resolution 1244 tasked the UNMIK with most of the required police functions, the organization's inability to mobilize enough personnel defaulted this mission to the Kosovo Force. The United States' contribution to the Kosovo Force was the execution of Operation Joint Guardian with Task Force Falcon. Thus, the infantry brigade combat team-based Task Force assumed responsibility for policing its area of operations in Kosovo despite not being properly trained or equipped prior to arriving in theater. Despite the challenges presented by these deficiencies, the task force proved effective in its mission by driving a significant decrease in violence after just three months in theater. Infantry soldiers played a significant role in this accomplishment as the contingent of military police within the Task Force were overburdened with tasks. The military police could only accomplish those requiring the most detailed police training such as investigations of serious crimes, or establishing and running prisons. Further, the tactics and techniques for the application

¹⁰¹ Larry Wentz, "Introduction," in *Lessons From Kosovo: The KFOR Experience* (Washington, DC: DoD Command and Control Research Program, 2002), 356–357.

of infantry forces in a policing role adopted by Task Force Falcon drove the development of specific training programs for follow on forces.

Hurricane Katrina

Introduction

Hurricane Katrina struck the Gulf Coast on the morning of 29 August 2005 as a category three storm, one of the largest to ever hit the United States..¹⁰² The damage caused by the storm was the worst of any natural disaster in American history and covered an area across Louisiana and Mississippi equivalent to the size of the United Kingdom..¹⁰³ The storm claimed over 1,500 lives, destroyed more than 300,000 homes, and left tens of thousands of citizens without basic essential services..¹⁰⁴ The majority of this damage centered in New Orleans, Louisiana when the levees holding back Lake Ponchartrain failed, flooding eighty percent of the city..¹⁰⁵ The devastation was similar to that seen after major combat operations. The presence of local police was inadequate following the storm because up to twenty-five percent of the New Orleans Police Department failing to report for duty..¹⁰⁶ The result was a breakdown in civil security as looters ran rampant, and reports of rapes and murders instilled fear amongst the population..¹⁰⁷ Although many of the reported crimes were later found to be invalid, the perception of lawlessness prevented the effective execution of initial recovery efforts..¹⁰⁸ Days after the storm struck, local papers were reporting on the lack of law enforcement presence in New Orleans, as well as the

¹⁰² Wombwell, *Army Support During the Hurricane Katrina Disaster*, 1–2.

¹⁰³ US Senate, *Hurricane Katrina: A Nation Still Unprepared*, 2.

¹⁰⁴ US Senate, *Hurricane Katrina: A Nation Still Unprepared*, 2; Wombwell, *Army Support During the Hurricane Katrina Disaster*, 41.

¹⁰⁵ Wombwell, *Army Support During the Hurricane Katrina Disaster*, 38.

¹⁰⁶ US Senate, *Hurricane Katrina: A Nation Still Unprepared*, 11; Wombwell, *Army Support During the Hurricane Katrina Disaster*, 3.

¹⁰⁷ Wombwell, *Army Support During the Hurricane Katrina Disaster*, 3.

¹⁰⁸ US Senate, *Hurricane Katrina: A Nation Still Unprepared*, 11.

perception that there was no strategy to bring in additional law enforcement personnel or military forces to restore order..¹⁰⁹

Despite the public perception that there was no plan to restore order in New Orleans, multiple lines of effort at both the state and national level began working to this end even before the storm made landfall. On 26 August 2005, Louisiana Governor Kathleen Blanco declared a state of emergency before the storm and activated 2,000 National Guard soldiers, followed by an additional 2,000. At the national level, President Bush declared a federal state of emergency for Louisiana on 27 August..¹¹⁰ The number of National Guard troops in Louisiana swelled to over 15,000 by the end of the first week of the response, with a total of 41,000 National Guard troops operating across Louisiana and Mississippi. This represented the nation's largest mobilization of Guard troops to date..¹¹¹ Federal troops also preceded the hurricane's arrival in the Gulf as Lieutenant General Honore, the Commander of First Army and later Joint Task Force Katrina, moved to Camp Shelby, Mississippi with his staff to be better positioned to coordinate assistance..¹¹² President Bush approved the large-scale commitment of federal troops and equipment on 3 September, and troops from the 82nd Airborne, 1st Cavalry, and 10th Mountain divisions began arriving that day..¹¹³ The numbers would swell to over 20,000 soldiers by the second week of the relief effort. The complement of National Guard and active duty troops proved critical throughout the relief effort as these troops provided support for evacuation, search and rescue, humanitarian assistance, and law enforcement efforts.

¹⁰⁹ Wombwell, *Army Support During the Hurricane Katrina Disaster*, 3.

¹¹⁰ *Ibid.*, 1.

¹¹¹ Lynn E. Davis, Jill Rough, Gary Ceccchine, Agnes Gereben Schaefer, and Laurinda L. Zeman, "The Military Response to Hurricane Katrina," in *Hurricane Katrina*, 1st ed., Lessons for Army Planning and Operations (RAND Corporation, 2007), 21–22, accessed September 19, 2019, <https://www.jstor.org/stable/10.7249/mg603a.11>.

¹¹² US Senate, *Hurricane Katrina: A Nation Still Unprepared*, 33.

¹¹³ Wombwell, *Army Support During the Hurricane Katrina Disaster*, 165, 183; Davis, Rough, Ceccchine, Schaefer, and Zeman, "The Military Response to Hurricane Katrina," in *Hurricane Katrina*, 28.

Question 1: What was the expectation of infantry forces to perform a policing role?

Despite a deliberate effort to have all policing tasks performed by civilian police or National Guard military police, infantry forces from both the guard and active components performed or directly supported police activities. Due to the President's decision not to invoke the Insurrection Act which would have allowed active duty troops to perform law enforcement tasks, the National Guard bore much of this responsibility. The impact of this decision was highlighted by Senator Levin's testimony to the Senate Committee on Homeland Security and Governmental Affairs where he stated that, "There was a desire to concentrate the Guardsmen in New Orleans for law enforcement and security tasks, but the governor specifically asked for federal troops to pick up the rest of the tasks."¹¹⁴

The 1st Battalion, 148th Infantry Regiment from the Ohio National Guard, performed policing tasks when they evacuated and patrolled the Superdome amidst reports of rioting inside.¹¹⁵ The battalion also facilitated the New Orleans police department's ability to return to the community and combat looting despite much of their infrastructure and equipment being underwater.¹¹⁶ The 45th Infantry Brigade from Oklahoma also performed policing tasks as they assumed control of New Orleans' Garden District, conducting patrols both with the New Orleans police, as well as unilaterally to combat looting in the area.¹¹⁷ In one instance, the 279th Infantry,

¹¹⁴ Committee on Homeland Security and Governmental Affairs United States Senate, *Hurricane Katrina: The Defense Departments Role in the Response*, 109th Cong., 2nd sess. (Washington, DC: US Government Printing Office, February 9, 2006), 20.

¹¹⁵ William B. Boehm, Renee Hylton, and Thomas Mehl, *In Katrina's Wake: The National Guard on the Gulf Coast 2005*, ed. Julie Zeitlin (Arlington, VA: Office of Public Affairs National Guard Bureau), 28–30, accessed February 27, 2020, https://www.nationalguard.mil/Portals/31/Documents/ARNGpdfs/whitepages/katrina_report_2005.pdf.

¹¹⁶ Benjamin Cossel, "New Orleans Police Officers Are Also Victims of Hurricane Katrina," *DVIDS*, last modified September 18, 2005, accessed November 6, 2019, <https://www.dvidshub.net/news/3048/new-orleans-police-officers-also-victims-hurricane-katrina>.

¹¹⁷ Ben Fenwick, "The Kindness of Strangers," *Association of Alternative Newsmedia*, last modified September 21, 2005, accessed November 6, 2019, <http://archive.altweeklies.com/aan/AltWeeklies/Story?oid=oid%3A150759>.

an element of the 45th Infantry Brigade, tracked down a looter identified by helicopter. Upon apprehending and cuffing the man, they discovered that he was in possession of stolen goods.¹¹⁸ These examples exhibit the successful execution of policing tasks by infantry forces from the National Guard.

Although the Posse Comitatus Act prevented the direct involvement of active duty forces in policing activities, infantry forces prepared for and often indirectly performed in this role. When discussing the use of federal troops to restore order, Assistant Secretary of Defense Paul McHale explained that federal troops were deployed to provide humanitarian aid, not law enforcement. He also noted that federal troops were ready to conduct law enforcement tasks should the president invoke the Insurrection Act.¹¹⁹ The allocation of active duty forces to roles that could require the execution of policing tasks was supported by the Joint Task Force Katrina Commander's Assessment asset allocation matrix, which shows the assignment of active duty brigade combat teams to security and DSCA tasks.¹²⁰ This was further confirmed by the 82nd Airborne's (Task Force All American) mission statement for the operation: "JTF-AA conducts Support to Civil Authorities in and around the Orleans Parish in the City of New Orleans and the International Airport beginning 3 Sep 05 in support of Hurricane Katrina and Southwest Louisiana."¹²¹ However, despite these force allocations and mission statements, infantry units in the 82nd Airborne prepared for, and at times executed, a policing role.

To prepare for the execution of policing tasks, the task force allocated portions of the two attached National Guard military police companies to every patrol and movement.¹²² Lieutenant

¹¹⁸ Fenwick, "The Kindness of Strangers."

¹¹⁹ US Senate, *Hurricane Katrina: A Nation Still Unprepared*, 515.

¹²⁰ US Senate, *Hurricane Katrina: The Defense Departments Role in the Response*, 292.

¹²¹ "Operation All American Assist- SEP/OCT 05," Archive RM Humanitarian Box 15- Hurricane Katrina, Summary Report, 82nd Airborne Division War Memorial Museum Fort Bragg, NC, 1.

¹²² "Untitled Document," Archive RM Humanitarian Box 15- Hurricane Katrina, 82nd Airborne Division War Memorial Museum Fort Bragg, NC.

General (Retired) William Caldwell, the commander of the 82nd Airborne, noted that when the unit received reports of looting, they would send troops out to interdict, but that the looters always departed upon the troop's arrival preventing any confrontations.¹²³ Despite being deployed to New Orleans in a non-policing role, the infantry forces in Task Force All American were prepared for and executed policing tasks in support of the Hurricane Katrina relief effort.

Question 2: What was the policy and doctrine that guided force employment?

Policy and law limited the employment of active duty infantry forces in a policing role during the response to Hurricane Katrina. Although the Posse Comitatus Act restricted active duty troops from performing police tasks, the President could have overridden this restriction through the Insurrection Act. This would have allowed active duty forces to both restore order and prevent looting; however, this option was not invoked.¹²⁴ The US Department of Defense 2005 *Strategy for Homeland Defense and Civil Support* also illuminated the potential use of federal military forces in support of domestic emergencies and designated law enforcement tasks.¹²⁵ However, as the Insurrection Act was not invoked, only National Guard infantry forces under Title 32 were able to legally perform policing tasks in support of Hurricane Katrina relief efforts.

While policy prevented the use of active duty forces in a policing role, doctrine accounted for this limitation by designating National Guard forces with the primary responsibility for executing these tasks. The keystone doctrine, Field Manual 3-0, *Operations* (2001), acknowledged the restrictions placed on active duty military forces by the Posse Comitatus Act. It

¹²³ The US Army, *A Closer Look Hurricane Katrina*, 2017, accessed December 5, 2019, <https://www.youtube.com/watch?v=yVa1gyBA28c>.

¹²⁴ US Senate, *Hurricane Katrina: A Nation Still Unprepared*, 470, 523, 604.

¹²⁵ Alice R. Buchalter, *Military Support to Civil Authorities: The Role of the Department of Defense in Support of Homeland Defense* (Washington, DC: Federal Research Division, Library of Congress, February 2007), 1, accessed February 27, 2020, https://www.loc.gov/rr/frd/pdf-files/CNGR_Milit-Support-Civil-Authorities.pdf.

identified that during disaster relief operations, the Army may provide security to local law enforcement, but that employment of the National Guard in this role was preferred.¹²⁶ The manual also stated that the Army could assist local police forces in controlling civil disturbances, although reiterated, the National Guard was the preferred component due to the restrictions of the Posse Comitatus Act.¹²⁷ While these guidelines in Field Manual 3-0, *Operations*, identified the requirement for the National Guard's preparation for a policing role, it also implied that active duty infantry forces were not expected to prepare for this role.

While it described the considerations for law enforcement and policing as part of unified action under combat conditions, Field Manual 3-0, *Operations*, demonstrated the omission of federal infantry troops. Instead, the manual stated that commanders should leverage local civil assets when possible, or deploy the appropriate US forces such as military police.¹²⁸ The trend of infantry forces' insufficient preparation for policing tasks continued in Field Manual 3-07, *Stability and Support Operations* (2003). This manual recognized that although infantry forces may establish law and order in an area of operations through the execution of policing functions, military police should be involved whenever possible.¹²⁹ Infantry forces deficiency in policing tasks was also highlighted by the manual's prescription that when operating outside of the United States, the military can temporarily fill a policing role, but often under the supervision of an international civilian police force.¹³⁰ The application of this policy and doctrine demonstrated the reluctance to utilize active duty forces for policing tasks, and the preference for National Guard military police over their infantry counterparts.

¹²⁶ US Department of the Army, Field Manual (FM) 3-0, *Operations* (Washington, DC: Government Printing Office, 2001), 10-1, 10-6, 10-9.

¹²⁷ *Ibid.*, 10-10.

¹²⁸ *Ibid.*, 2-25.

¹²⁹ US Department of the Army, Field Manual (FM) 3-07, *Stability and Support Operations* (Washington, DC: Government Printing Office, 2003), 4-10.

¹³⁰ *Ibid.*, 4-14.

Question 3: Were infantry forces successful in policing, how was their performance evaluated?

Infantry units experienced mixed success in performing policing operations during Hurricane Katrina relief operations. With no quantitative data on the reduction of looting and crime following the introduction of infantry forces in a policing role during the relief effort, assessments are confined to qualitative observations. The New Orleans Police Department observed that their joint patrols with the 1st Battalion, 148th Infantry Regiment from the Ohio National Guard "...had an immediate and visible impact in the area because looting and arson declined dramatically," exemplifying an infantry units' success in a policing role.¹³¹ This success was reinforced by the USNORTHCOM report on 3 September 2005 that stated:

The sniper incident at the Tulane University Hospital was resolved yesterday and other incidents of violence (sniping and other gunfire) have largely subsided, although occasional incidents are still occurring as criminal elements go underground and law enforcement is re-established. The arrival of sufficient numbers of National Guard and other service members is altering the ground situation significantly, with a resultant decline in the threat posed to deploying DOD [Department of Defense] members.¹³²

While these examples highlight infantry forces' success in reducing the amount of crime in the area, it does not account for their ability to build rapport with the population, a critical element of continued success. Incidents such as having to remind troops not to point their weapons at citizens, or that they were not to load their weapons, could inhibit long term success in policing operations.¹³³

Question 4: What training and equipping contributed to infantry unit's success or failure?

Due to the nature of the short notice and rapid deployment of forces for Hurricane Katrina, response forces were unable to conduct any mission-specific training or equipping. The

¹³¹ Wombwell, *Army Support During the Hurricane Katrina Disaster*, 89.

¹³² Emery Midyette Jr., "Resources and Structure of States' National Guard," *Joint Center For Operational Analysis: Hurricane Katrina Lessons Learned*, vol. VIII, no. 2 (June 2006): 31, accessed February 27, 2020, <https://apps.dtic.mil/dtic/tr/fulltext/u2/a521897.pdf>.

¹³³ Thomas Day, "As Search and Rescue Missions End, 'All American' Division Refocuses Katrina Efforts," *The Humanitarian* 1, no. 1 (September 15, 2005): 2.

active duty component from the 82nd Airborne was the unit's ready brigade, and was trained for worldwide deployment, not on policing tasks. The Assistant Secretary of Defense Paul McHale highlighted that not only was the 82nd Airborne deficient in their training for policing tasks, but this deficiency was deliberate when he stated in an interview that:

We don't want to turn the 82nd Airborne into a first responder, always available on a moment's notice for law enforcement activity throughout the United States. To be prepared for such a mission would require a change in the training and equipment of the 82nd. It would also produce a significant change in the historically defined role of the military within domestic American society..¹³⁴

This meant that although the unit was on call to execute, and to a limited extent did conduct policing tasks, it received little to no training on these tasks before execution.

The challenges of a short mobilization period also prevented National Guard units from conducting additional training prior to deployment. This had the potential to be particularly detrimental as National Guard units typically receive additional training during the mobilization process prior to deploying..¹³⁵ However, prior experience with peacekeeping operations, civilian police experience, or recent counter-insurgency experience proved invaluable in the execution of policing tasks. The success of the 1st Battalion, 148th Infantry Regiment in executing police tasks demonstrated this notion as the unit benefited not only from the battalion commander's experience as civilian police chief, but many members of the unit had trained for peacekeeping operations during a recent deployment to Kosovo..¹³⁶ The success of those infantry units that conducted policing tasks was largely attributed to training that they had received for prior missions that required them to perform in a similar role.

Concerning the equipping of infantry forces for policing tasks, neither active duty nor National Guard forces received any additional equipment to facilitate their performance of this

¹³⁴ US Senate, *Hurricane Katrina: A Nation Still Unprepared*, 547.

¹³⁵ Midyette Jr., "Resources and Structure of States' National Guard," in *Joint Center For Operational Analysis: Hurricane Katrina Lessons Learned*, 34.

¹³⁶ Boehm, Hylton, and Mehl, *In Katrina's Wake*, 29.

role. In this case, there is no evidence that the lack of additional equipping negatively impacted the infantry forces' ability to perform policing functions.

Question 5: What role did military police units perform?

During the response to Hurricane Katrina, most military police units' primary task was conducting or supporting police and law enforcement activities..¹³⁷ The permissive environment freed military police of their typical consolidation area operations, such as handling enemy prisoners of war, managing displaced civilians, and route management. The allocation of two National Guard military police companies to Task Force All American provided "embedded" National Guard troops available to conduct policing operations exhibited the employment of military police in a strict policing role..¹³⁸ The organization of National Guard troops for the relief effort also exhibited the desire to have military police focus on policing tasks. Inside the National Guard's Task Force Pelican which coordinated the actions of all National Guard troops in Louisiana, Task Force Defender was charged with the supervision of security across the state and was assigned most of the deployed military police units to help achieve this end..¹³⁹ Despite the deployment of 4,200 National Guard military police to the region and their sole focus on policing and law enforcement tasks, Lieutenant General Steven Blum, the director of the National Guard Bureau, acknowledged that there were not sufficient military police present to prevent a lack of security from disrupting operations..¹⁴⁰ This shortage of military police explained numerous infantry units assuming policing roles during the Hurricane Katrina relief effort.

¹³⁷ Wombwell, *Army Support During the Hurricane Katrina Disaster*, 72, 89, 92, 93, 122, 212.

¹³⁸ "Operation All American Assist- SEP/OCT 05," 1.

¹³⁹ Wombwell, *Army Support During the Hurricane Katrina Disaster*, 45, 46.

¹⁴⁰ Davis, Rough, Ceccchine, Schaefer, and Zeman, "The Military Response to Hurricane Katrina," in *Hurricane Katrina*, 26.

Question 6: What was the difference in performance between Title 10 and Title 32 troops?

There was no clear delineation between the performance of Title 10 versus Title 32 forces. Instead the performance of both Title 10 and Title 32 troops relied on the unit's previous experiences and its leadership. The rapid no notice mobilization of both Title 10 and Title 32 troops prevented the execution of mission specific training typically conducted prior to deployment. Despite the lack of mission specific training units such as the 1st Battalion, 148th Infantry Regiment, a Title 32 force, succeeded by leveraging the training received for a previous peacekeeping mission to Kosovo.¹⁴¹ The trend of calling on previous training and experience was mirrored by the Title 10 forces with many calling upon recent lessons derived from recent deployments to Iraq to guide their actions.¹⁴² The only advantage that Title 32 troops held was the experience that they gained from their civilian professions. This is exemplified by the 1st Battalion, 148th Infantry Regiment where the Battalion Commander was an experienced police chief and understood the legal implications of applying military force.¹⁴³

Summary

The aftermath of Hurricane Katrina left the Gulf Coast, specifically the city of New Orleans, in a state of destruction and civil unrest similar to the environment at the conclusion of major combat operations. Large scale looting and rioting demonstrated a severe breakdown in civil security. Local police forces were unable to restore order due to many officers failing to report for duty and the vast scale of the devastation. To assist in restoring order, both National Guard and active duty troops deployed to the region. National Guard military police units conducted most policing operations due to their training and legal authority under the Posse Comitatus Act. However, the magnitude of the devastation dictated that National Guard military

¹⁴¹ Boehm, Hylton, and Mehl, *In Katrina's Wake*, 29.

¹⁴² Wombwell, *Army Support During the Hurricane Katrina Disaster*, 6.

¹⁴³ Boehm, Hylton, and Mehl, *In Katrina's Wake*, 29.

police were unable to handle all policing requirements, and thus infantry units from both the National Guard and active duty filled that void. These units were generally successful in this mission with an immediate qualitative reduction in crime within their areas of operation. Units achieved these results despite a rapid mobilization and deployment process that prevented the execution of specific police training or equipping. Much of this success was attributed to the units' prior training and experience with missions that required them to performing in a policing role.

Analysis and Conclusions

The establishment of consolidation of gains as one of the Army's four strategic roles requires that the force perform this task. One of the critical elements to the execution of operations to consolidate gains is the ability to quickly restore civil order following conflict to prevent unfavorable or criminal organizations from filling the security void. The force's ability to execute policing tasks before the restoration of local civil authorities is pivotal to the restoration of civil order, the consolidation of gains, and the translation of tactical to strategic success. However, the Army is currently ill-prepared to perform these tasks during large scale combat operations. Infantry forces can fill this policing capability gap, however, their historical performance in this role observed during both Operation Joint Guardian in Kosovo and the Hurricane Katrina response demonstrate that adjustments to doctrine and training are required to be successful while operating within policy constraints.

US Doctrine Requirement for Infantry to Conduct Policing Operations (Doctrine)

Doctrine relevant at the time of both cases studies as well as current doctrine, established that infantry forces should be prepared to conduct police operations, but they are ill-prepared for the task as demonstrated by the case studies. The common theme across doctrine is that although infantry forces can serve as police, the employment of military police is preferred. The doctrine also unanimously highlights that while performing these tasks, infantry forces should receive direct supervision and guidance from either military or civil police. In all instances, specific guidance or direct reference to the appropriate manual for the execution of policing tasks is omitted from capstone doctrine. As this doctrine serves as the primary reference point for infantry forces, they are susceptible to overlooking the presence of material highlighting policing operations as it only resides in those manuals specifically developed for military police forces.

Infantry Training for Policing Functions (Training)

Infantry forces did not consistently receive enough training for the effective execution of policing tasks. The result is that units required additional training focused on policing tasks prior to mission execution. This issue manifested in both the Kosovo and Hurricane Katrina case studies. In Kosovo, the training deficiency for infantry troops was rapidly identified and corrected through an in-country program that expanded to train replacement troops as they rotated into theater. This training program had lasting effects felt a decade later, as demonstrated in the Hurricane Katrina case where The 1st Battalion, 148th Infantry Regiment's success in policing tasks was largely attributed to the training received as part of a recent rotation to Kosovo, not to its regular infantry training.¹⁴⁴ The requirement of additional training for infantry forces to perform in this role is one of the drivers for the historical preference of using military police or other specialty troops to conduct policing operations necessary to consolidate gains.¹⁴⁵ Unfortunately, as demonstrated in both the Kosovo and Hurricane Katrina cases, specialty forces such as military police are a limited resource, and cannot be relied upon to conduct all the policing tasks necessary to ensure successful consolidation of gains.

What are the Considerations in Using Title 10 versus Title 32 Forces for Policing (Policy)

Policy is a major driver of the need to develop a policing capability in infantry forces. The first major consideration is the implication of the Posse Comitatus and Insurrection Acts. Although the Posse Comitatus Act prevents Title 10 military forces comprised of active duty or federalized National Guard soldiers from performing policing tasks within the United States, this restriction is waivable if the President invokes the Insurrection Act. Given this potential, both

¹⁴⁴ Boehm, Hylton, and Mehl, *In Katrina's Wake*, 29.

¹⁴⁵ Miller, "Consolidating Gains at the Division," 65.

National Guard and active duty forces must be prepared for the execution of police tasks both domestically and internationally.

Due to the limited number of military police in the active and reserve forces relative to the number of infantry forces, military police cannot be expected to conduct all missions requiring the execution of policing tasks. This is particularly restrictive internationally as many of the Army's military police forces resides within the National Guard. This limits the ability to project these forces both early in a conflict, and for a sustained period, due to policy restrictions surrounding mobilization and dwell time for National Guard units. The result is that both National Guard and active duty forces must prepare for the execution of policing tasks in preparation for any application of national and international policy regarding the employment of military force.

Recommendations

The theory of primary and secondary socialization introduced by Peter Berger and Thomas Luckmann in their book *The Social Construct of Reality* exhibits the need to deliberately prepare infantry forces for a policing role. The theory holds that "Primary socialization is the first socialization an individual undergoes in childhood, through which he becomes a member of society. Secondary socialization is any subsequent process that inducts an already socialized individual into new sectors of the objective world of his society."¹⁴⁶ This theory applies to this case as an infantry soldier's entry to the Army represents their primary socialization, where they are taught that their purpose is to close with and destroy the enemy.¹⁴⁷ This socialization dominates their world view unless they are provided with a secondary socialization from which

¹⁴⁶ Peter L. Berger and Thomas Luckmann, *The Social Construction of Reality: A Treatise in the Sociology of Knowledge* (New York: Anchor Books, 1966), 130.

¹⁴⁷ U.S. Army Maneuver Center of Excellence, "Maneuver Self Study Program," Official US Army Website, last modified December 18, 2018, accessed December 12, 2019, <https://www.benning.army.mil/MSSP/Infantry%20Heritage/>.

they can see the world differently. Preparing infantry forces for the execution of policing tasks, and the soft skills that make their execution successful provides such a secondary socialization, enabling the infantry's effective contribution to operations to consolidate gains.

As the policy that drives the employment of infantry forces in a policing role resides at the political and legal level, the recommendations for providing the secondary socialization will focus on operating within current policy while modifying doctrine and training. Since current doctrine already highlights the requirement for brigade combat teams comprised of infantry forces to execute operations to consolidate gains, revisions should serve to highlight the specific requirement for the execution of and process of conducting policing tasks. While adding these elements to capstone doctrine such as Field Manual 3-0, *Operations*, or Field Manual 3-07, *Stability*, could detract from the greater theme of the manual, references to the relevant policing manuals in the sections dedicated to the consolidation of gains or restoration of civil security would draw attention to the importance of policing tasks. The same idea holds for the incorporation of policing tasks into infantry units' regular training. Since policing tasks are required for the successful execution of operations to consolidate gains, units should train them with the same regularity and intensity as they do large scale combat operations. The inclusion of these tasks into both unit training events and combat training center rotations would provide units invaluable experience in the execution of policing tasks.

Summary

The establishment of operations to consolidate gains as one of the Army's strategic roles drives the requirement for the force to possess a vast, rapidly-deployable policing capability. Historically, infantry forces have initially performed poorly in this role but have adapted to achieve success. To ensure the immediate ability to successfully conduct operations to consolidate gains in the future, the Army must develop a solution to increase the infantry's policing capability. Given the restraints on policy and law, this solution should prominently

highlight policing requirements and execution in doctrine and include policing as part of infantry unit's regular training. Failure to develop infantry forces' capability to police will risk the Army's ability to consolidate gains and the ability to convert hard-earned tactical success into strategic victory.

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