

## Equalizing Military and Civilian Law Enforcement Certification

by

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Class of 2012

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<b>REPORT DOCUMENTATION PAGE</b>				<i>Form Approved</i> <b>OMB No. 0704-0188</b>	
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing this collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Department of Defense, Washington Headquarters Services, Directorate for Information Operations and Reports (0704-0188), 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. <b>PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ADDRESS.</b>					
<b>1. REPORT DATE (DD-MM-YYYY)</b> 20-03-2012		<b>2. REPORT TYPE</b> Strategy Research Project		<b>3. DATES COVERED (From - To)</b>	
<b>4. TITLE AND SUBTITLE</b> Equalizing Military and Civilian Law Enforcement Certification				<b>5a. CONTRACT NUMBER</b>	
				<b>5b. GRANT NUMBER</b>	
				<b>5c. PROGRAM ELEMENT NUMBER</b>	
<b>6. AUTHOR(S)</b> Colonel Ignatius M. Dolata, Jr.				<b>5d. PROJECT NUMBER</b>	
				<b>5e. TASK NUMBER</b>	
				<b>5f. WORK UNIT NUMBER</b>	
<b>7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES)</b> Colonel Steven L. Donaldson Peacekeeping and Stability Operations Institute				<b>8. PERFORMING ORGANIZATION REPORT NUMBER</b>	
<b>9. SPONSORING / MONITORING AGENCY NAME(S) AND ADDRESS(ES)</b> U.S. Army War College 122 Forbes Avenue Carlisle, PA 17013				<b>10. SPONSOR/MONITOR'S ACRONYM(S)</b>	
				<b>11. SPONSOR/MONITOR'S REPORT NUMBER(S)</b>	
<b>12. DISTRIBUTION / AVAILABILITY STATEMENT</b>  Distribution A: Unlimited					
<b>13. SUPPLEMENTARY NOTES</b>					
<b>14. ABSTRACT</b> Implementing centralized Military Police (MP) certification (Police Academy) that equates to civilian state-level Peace Officer Standards & Training provides better trained Service Members for police operations (patrol, investigations, detention/corrections) during deployment (Combat Theater), garrison (Installation), and consequence management (CONUS) operations.					
<b>15. SUBJECT TERMS</b> Military Police, POST Certification, Law Enforcement Training					
<b>16. SECURITY CLASSIFICATION OF:</b>			<b>17. LIMITATION OF ABSTRACT</b>  UNLIMITED	<b>18. NUMBER OF PAGES</b>  36	<b>19a. NAME OF RESPONSIBLE PERSON</b>
<b>a. REPORT</b> UNCLASSIFIED	<b>b. ABSTRACT</b> UNCLASSIFIED	<b>c. THIS PAGE</b> UNCLASSIFIED			<b>19b. TELEPHONE NUMBER</b> (include area code)



# USAWC STRATEGY RESEARCH PROJECT

## EQUALIZING MILITARY AND CIVILIAN LAW ENFORCEMENT CERTIFICATION

by

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## **ABSTRACT**

AUTHOR: Colonel Ignatius M. Dolata, Jr.  
TITLE: Equalizing Military and Civilian Law Enforcement Certification  
FORMAT: Strategy Research Project  
DATE: 20 March 2012      WORD COUNT: 7,049      PAGES: 36  
KEY TERMS: Military Police, POST Certification, Law Enforcement Training  
CLASSIFICATION: Unclassified

Implementing centralized Military Police (MP) certification (Police Academy) that equates to civilian state-level Peace Officer Standards & Training provides better trained Service Members for police operations (patrol, investigations, detention/corrections) during deployment (Combat Theater), garrison (Installation), and consequence management (CONUS) operations.





## EQUALIZING MILITARY AND CIVILIAN LAW ENFORCEMENT CERTIFICATION

A new idea is first condemned as ridiculous and then dismissed as trivial, until finally, it becomes what everybody knows.

–William James, 1879

The US Army Military Police (MP) Corps is the largest law enforcement organization in the Department of Defense (DOD); regrettably, it lacks a nationally recognized training certification. To effectively conduct law enforcement functions during combat, on military installations world-wide, and in support of civil authorities for consequence management operations, MPs must possess a civilian equivalent Peace Officer Standards and Training (POST) certification. Since MPs are migratory by nature and by mission, they require professional credentials regarding federal and state laws, the Uniform Code of Military Justice (UCMJ), and all associated law enforcement tasks. Moreover, MPs must respond with the appropriate professional competence, capability, commitment, and confidence no matter the environment.

Peace officers trained and certified to POST qualification standards serve civilian communities in this respect. Therefore, military commanders and communities as well as the MPs who serve them deserve nothing less. As long as the gap in professional certification remains, the US Army MP Corps faces replacement by other military or civilian forces, the threat of reduced force structure, and the loss of worldwide professional credibility. These considerations demand a centralized DOD institution for training military law enforcement professionals. The US Army MP Corps is the best positioned organization to establish new DOD policy by spearheading universally recognized police certification.

## Foundations of US Army MP School (USAMPS) Law Enforcement Training

Currently, enlisted MP soldiers complete One Station Unit Training (OSUT), resulting in a Military Occupational Specialty (MOS) certificate of training and the MP skill identifier (31B). The set of courses consists of both Basic Training and Advanced Individual Training. According to the USAMPS website, OSUT consists of five training phases:

### Basic Training:

Phase I – Orientation and Soldierization

Phase II – Weapons Training

Phase III – Individual Tactical Training Field Training Exercise

### Advanced Individual Training:

Phase IV – MP Law and Order

Phase V – MP Combat Support Field Training Exercise

Additionally, newly commissioned MP Officers complete the MP Basic Officer Leader Course (BOLC) and receive a certificate of training and the MP Officer skill identifier (31A). The training conducted at USAMPS provides the basic template for military operational success. As stated by the USAMPS Directorate of Training:

The bedrock of our MP training is the four essential MP competencies, which form the building blocks for performance in MP units worldwide. These competencies (skill proficiency, human dimension and attitude, camaraderie and teamship, and leadership) are the performance standards expected from individuals that we allow to exercise discretion over others. These competencies directly link our training at USAMPS with MP unit operational readiness and soldier performance.<sup>1</sup>

Understandably, the four essential competencies are valid to military culture and MP responsibilities. However, MP OSUT and BOLC provide barely minimal pure law

enforcement training due to the combined MP missions to serve combatant commanders in a combat theater as well as garrison commanders and the military populace at home station.

Type of Training	Pre 9/11 LE Hours	Post 9/11 LE Hours
OSUT	155	*117
BOLC	59	86.5

Table 1: USAMPS Law Enforcement (LE) Pure Training Hours Pre 9/11 & Post 9/11<sup>2</sup>

Also worth mentioning are the follow-on courses for 31B MPs including the Advanced and Senior Leaders Courses, the corresponding 31D Criminal Investigator Courses, and the Captain's Career Course (CCC). However, MP soldiers and officers do not complete these courses until years later in their careers.

Type of Training	Pre 9/11 LE Hours	Post 9/11 LE Hours
31B ALC	28	63.7
31D ALC	78	103.7
31B SLC	35	71.4
31D SLC	52	100.4
CCC	156.7	164.5

Table 2: USAMPS Law Enforcement (LE) Pure Training Hours Pre 9/11 & Post 9/11<sup>3</sup>

After reviewing the minor amount of pure law enforcement training provided to MPs, it is clear that the program's elementary design is under-developed for training modern, common police tactics and operations. On-the-job or advanced police training and operations becomes the responsibility of the commanders in the field. As a result, this yields dozens of police philosophies and diverse training programs with no universal professional standards of training.

## Professional Status

In a recently published white paper, General Martin Dempsey, Chairman, Joint Chiefs of Staff stated, “We’re not a profession simply because we say we’re a profession. We must continue to learn, to understand, and to promote the knowledge, skills, attributes, and behaviors that define us as a profession.”<sup>4</sup> Due to ever-changing and developing twenty-first century policing requirements, the US Army MP Corps has the continuous responsibility to assess the overall view of its professional status and legitimacy, especially during the resource constrained environment of today’s diminishing defense budget. According to a white paper authored by a senior staff officer in the US Army Office of the Provost Marshal General (OPMG), “the Army is currently reviewing a definitional framework created by James Burke from the book *The Future of the Army Profession*.”<sup>5</sup> Further, the author describes Burke’s framework of three interrelated elements and their application to the US Army MP Corps as a profession as follows:

First, professions apply expert knowledge and should be seen for what they do, not just how they are organized to do it. For example, in the fields of medicine, law, military, and police—effectiveness, not efficiency—is the key to the work of professionals.

Second, professions have a jurisdiction or field of endeavor for problem solving in which control for the work and jurisdictional boundaries are constantly disputed between groups.

Third, professions seek continued legitimacy in the eyes of the client—through numerous channels such as the public opinion, legal, and the free market—for the control of a particular jurisdiction.<sup>6</sup>

Furthermore, “Measuring Professionalism of Police Officers” from *The Police Chief* professional magazine contends that:

A profession is an occupation that requires extensive training and the study and mastery of specialized knowledge. It usually requires accreditation, certification, or licensing.

Professionalism also means having an internal set of standards of performance and behavior. Professionals aspire to high ideals: altruism; honor and integrity; respect; excellence and scholarship; caring, compassion, and communication; leadership; and responsibility and accountability.<sup>7</sup>

Civilian police agencies also espouse professionalism through vision, mission and values statements, providing a model for officers to refer to and follow when serving their respective communities. For example, the small town of Paducah, Kentucky publishes the following on their police department website:

#### VALUES STATEMENT

The Paducah Police Department emphasizes the values of *professionalism, respect, accountability, integrity* and *communication* with all of our employees as we strive for excellence and continuous improvement.

*PROFESSIONALISM:* We will be professional in our daily actions, our behavior and our performance to the department, its members and to the community we proudly serve.



Figure 1: Paducah Police Department<sup>8</sup>

The remainder of the themes *respect, accountability, integrity, and communication* support the department's vision and mission statements, while understanding the

primary focus of operating a professional force. However, the key to this message lies in the logo that follows the values statement. It depicts the professional status and requisite accreditation by the Kentucky Association of Chiefs of Police (KACP) Accreditation Program.

The KACP accreditation program is intended to provide law enforcement agencies of the Commonwealth with an avenue for demonstrating that they meet commonly accepted professional standards for efficient and effective operations.

Accreditation reflects that the agency was carefully measured against an established set of standards and has met or exceeded professionally accepted practices in law enforcement.<sup>9</sup>

Collectively, MP leaders must strive for recognition as a professional, certified and accredited police force. As a result, MP unit commanders can “adapt to profoundly altering expectations and requirements for leading police agencies successfully”<sup>10</sup> in the twenty-first century.

#### USAMPS Law Enforcement Accreditation

In an effort to voluntarily improve police training and administration, USAMPS earned professional recognition through the Federal Law Enforcement Training Accreditation (FLETA) process. Other credible law enforcement agencies that possess this endorsement include the Federal Bureau of Investigation Academy, the US Secret Service – James J. Rowley Training Center, and the Federal Law Enforcement Training Center (FLETC).<sup>11</sup> The intent is to “successfully achieve compliance with a set of standards that have been collectively established by their peers within their professional community that demonstrate their adherence to quality, effectiveness, and integrity.”<sup>12</sup> By achieving national recognition, USAMPS’ methodology to achieve collective accreditation is a fairly new transformation compared to the antiquated acceptance of

minimal police training and certification. As such, USAMPS adopted FLETA criteria as the basis for accreditation:

To increase the professionalism of federal law enforcement training, a task force of key training leaders from principal federal and state law enforcement agencies began work to collaboratively conduct research to establish a premier training accreditation model. In the development of the model, federal law enforcement training professionals established standards and procedures to evaluate the training programs and training academies used to train federal law enforcement agents and officers.<sup>13</sup>

USAMPS earned academy accreditation in 2010 and three program accreditations in 2010 and 2011 (US Army Civilian Police Academy, US Army CID Special Agent Course, and MP OSUT). Since only a small number of law enforcement courses available to MPs achieved accreditation to this point, it will take years to eventually accredit all MP proponent courses.

There are five steps to FLETA accreditation: Application, Applicant Preparation, FLETA Assessment, FLETA Accreditation, and Reaccreditation.<sup>14</sup> The basic requirements for the two types of accreditation (Academy and Program) direct from the FLETA Standards and Procedures Manual (2010) include:

Academy Accreditation:

1. Have all basic training (entry-level) law enforcement and instructor development training program(s) FLETA accredited.
2. Academy policies, procedures, and/or directives must address each applicable FLETA standard.
3. If the academy trains at multiple locations, the sites must be identified in the application and the facilities, resources, and training at each site must be in compliance with the standards.
4. Supporting evidence must exist to indicate the academy is in compliance with each standard.
5. The academy is in compliance with all required FLETA academy and program standards.

#### Program Accreditation:

1. Program policies, procedures, and/or directives must address each applicable FLETA standard.
2. Supporting evidence must exist to indicate the program is in compliance with each standard.
3. If the program is exported or conducted at multiple sites, the facilities, resources, and training at each site must be in compliance with the standards.
4. Each location where the program is presented on a regular basis must be identified in the application.
5. The program is in compliance with all required FLETA program standards.
6. Newly created programs must be presented a minimum of one time beyond the program's pilot presentation before a FLETA Assessment will be conducted.

With the obvious amount of resources and staff coordination support required to achieve FLETA recognition, two critical questions come to mind. First, "What was the motive to pursue professional accreditation?" And second, "Did the accreditation equate to conventional POST certification?"

#### POST Certification

In 1959, the state of California established a POST Commission to standardize training requirements for peace officers throughout the state. "Since then, POST-type agencies and training have been adopted by all states."<sup>15</sup> In the 1970s, the National Advisory Commission on Criminal Justice Standards and Goals concluded that inconsistencies and non-standardized police training existed across the entire nation.

As a result, the commission recommended the following:

Police recruits require a minimum of 400 hours of basic training, divided into the following categories: Patrol and investigative procedures (33%), human values and problems (22%), use of force and police proficiency



(18%), law (10%), administration (9%), and introduction to the criminal justice system (8%).<sup>16</sup>

Today, peace officer applicants must earn state-level POST certification prior to employment within any state for any agency that requires typical police duties. Once POST certified, a peace officer can generally conduct arrests, traffic control, searches and seizures, execute criminal warrants, and enforce state laws. As one example, the State of Georgia declares, “It is the mission of the Georgia POST Council to provide the citizens of Georgia with qualified, professionally trained, ethical and competent peace officers and criminal justice professionals.”<sup>17</sup> Accordingly, the State of Georgia POST Council “administers the regulatory process, sets the standards for training and certification, and provides essential technical assistance to the law enforcement community.”<sup>18</sup>

Unfortunately, even after completing MP training and qualification along with military service, an MP is still not a POST certified peace officer. Consequently, upon separation from service or retirement from the military, an MP who desires to serve as a peace officer must obtain a resident state POST certification – no matter their preceding MP training or experience – for employment. For instance, the State of Louisiana POST Council stresses the following minimum training requirements:

All full-time peace officers...shall complete a basic training course as prescribed and certified by the Council on Peace Officers Standards. Reserve or part-time officers or military police officers stationed in Louisiana may be eligible for certification if they successfully complete a basic training course prescribed for full-time peace officers and pass the POST statewide examination.<sup>19</sup>

Consequently, to qualify as a basic peace officer (Level 1) in Louisiana, resident peace officer candidates and MPs must meet firearm qualification and complete POST

certification consisting of 360 hours of training.<sup>20</sup> Unlike out-of-state peace officer transfers to Louisiana, who may be eligible for certification by presenting a valid POST certificate of training from an accredited police academy, MPs must complete another full training program for employment. The underlying contention is that MPs do not even meet the standards for the lowest level of state required training for POST certification in the US.<sup>21</sup>

Some POST certified peace officers may need to complete an equivalency of training assessment, but MPs receive practically no consideration to serve as a peace officer due to the absence of a comparable POST certification. According to the International Association of Directors of Law Enforcement Standards and Training (IADLEST), the highest required amount of basic academy hours of training was just over 1000 hours for three US states (Minnesota, Hawaii and Alaska) and the lowest required amount was 360-400 hours for five US states (Illinois, Mississippi, Tennessee, South Carolina and Louisiana) in 2010. The national average mathematically encompasses approximately 625 hours of basic academy police training to achieve POST certification. Therefore, the delta between POST certified peace officers and OSUT/BOLC qualified MPs equates to a professional training deficiency of hundreds of hours. Without question, this issue presents a severe professional training gap and severe operational risk when employing MPs for contemporary law enforcement duties.

	<b>Reciprocity Summary</b>	
<b>State</b>	<b>Reciprocity</b>	<b>Basic Academy Hours</b>
Minnesota *	Yes	1050
Hawaii	No	1032
Alaska	Yes	1000
Connecticut	Yes	880
New Jersey	Yes	880
West Virginia	Yes	835
Massachusetts	Yes	800
New Mexico	Yes	800
Vermont	Yes	792
Maryland	Yes	785
Florida	Yes	770
Kentucky	Yes	768
Pennsylvania	Yes	750
Maine	Yes	720
Washington	Yes	720
California	No	664
Oregon	Yes	640
Utah	Yes	640
New York	Yes	639
	<b><i>POST National Average</i></b>	<b>625</b>
North Carolina	Yes	618
Texas	Yes	618
New Hampshire	Yes	611
Nebraska	Yes	608
Indiana	Yes	600
Missouri	Yes	600
Rhode Island	Yes	600
Michigan	Yes	594
Arizona	Yes	585
Idaho	Yes	584.5
Virginia	Yes	580
Oklahoma	Yes	576
Kansas	Yes	560
Ohio	Yes (Partial)	558
Colorado	Yes	550
Wyoming	Yes	529
South Dakota	Yes	520
Wisconsin	Yes	520
Delaware	Yes	498
Alabama	Yes	480
Iowa	Yes	480
Arkansas	Yes	480
Montana	Yes	480
Nevada	Yes	480
North Dakota	Yes	440
Georgia	Yes	404
Illinois	Yes	400
Mississippi	Yes	400
Tennessee	Yes	400
South Carolina	Yes	389.5
Louisiana	Yes	360

\* Mandated training is delivered only through college and university degree programs.

Table 3: IADLEST Reciprocity Summary (2010 Handbook)

The IADLEST Reciprocity Handbook (2010), moreover, condemned MP training:<sup>22</sup>

Applicants with only military police basic training and experience are not eligible for reciprocity certification (Kansas).

For this purpose, the term "basic training program" does not include any military or reserve training program (Washington).

The LET Subcommittee has set a policy that military law enforcement training will not be considered as prior entry level law training (West Virginia).

Only in Alabama, Georgia, Minnesota, Missouri, and South Carolina does a certificate of training, a minimum number of years of service as an active MP, possessing a post-secondary degree, and/or an honorable discharge assist in qualifying for reciprocity. Hence, a gap exists in MP professional credibility and training, which implies the need to implement centralized police certification.

#### Peacekeeper Academy

Professional police training thus lacks a certified training standard. For newly assigned MPs who only receive approximately two to four weeks of police training at USAMPS, this means they must retain what little they have learned and acquire much more training to safely serve their local military community. Police officers often view the problem more clearly than do strategic leaders. In the words of an internet blogger on a police forum regarding MP training:

It's a joke from a law enforcement perspective. Last I checked a whopping 2 weeks of actual law enforcement (termed "Law and Order") training is given in the 31B AIT. Show me a civilian police agency anywhere in the world that would put a cop on the street with two weeks of training, and I've got some ocean front property in Arizona to sell you.<sup>23</sup>

Consequently, each command remains responsible for training and certifying newly assigned MP personnel prior to employing them to conduct law enforcement duties.

On January 22, 2010, in an effort to standardize annual training requirements beyond USAMPS, Headquarters, Department of the Army issued Execute Order (EXORD) 087-10 (Annual MP Law Enforcement Training and Certification). Derived and published by the Operations Division of the OPMG, the policy noted a training deficiency, but set only modest parameters:

Military Police Army-wide are losing law enforcement skills as a result of wartime focus and OPTEMPO. Law enforcement skills are a core competency for Military Police to establish security and stability and are interchangeable with skills required in theater and at camps, posts, and stations worldwide.<sup>24</sup>

Ultimately, MPs in the grades of Private to Sergeant First Class and Second Lieutenant to Captain had to complete annual certification training to ensure “senior commanders had a balanced capacity of law enforcement professionals trained and ready to respond to any crisis.”<sup>25</sup> Further clarification of the EXORD concluded that each MP soldier and officer had to simply complete a dozen or so MP Skill-Level 1 & 2 tasks annually to sustain basic police skills in all MP formations.

In the absence of post-USAMPS training guidance, field commanders experimented with solutions for preparing MPs for law enforcement duties. In parallel with OPMG, the 716<sup>th</sup> MP Battalion (Fort Campbell, Kentucky) developed, funded and implemented a three-week standardized training program titled Peacekeeper Academy. It consisted of “a self-sustained battalion training program that incorporates basic law enforcement certifications, advanced police training, and external police agency mentorship in order to provide thoroughly trained, highly professional, and courteous Military Police.”<sup>26</sup> The program incorporated three phases: Phase I – Law Enforcement

Training Seminar (LETS), Phase II – Advanced Law Enforcement Training (ALET), and Phase III – Police Mentorship.

Phase I – LETS encompassed approximately 101 hours of police training designed to provide doctrinal and contemporary police training in preparation for law enforcement activities. This phase included fundamental law enforcement tasks, local and national individual-level certifications, and scenario evaluations to ensure proper retention and repetition—the mother of all training. The tasks included MP Skill-Level 1 & 2 refresher training (OPMG EXORD 087-10 Policy Requirements), Dynamics of Domestic Violence, Legal/Court Room Procedures, Drug/Extremist/Gang Awareness, and Traffic Stops. The certifications incorporated the Standard Field Sobriety Test, Radio Detection and Ranging (RADAR), Aerosol Weapons, Expandable Baton and Heart Saver (Automated External Defibrillator & Cardiopulmonary Resuscitation). Finally, Peacekeeper Academy qualified instructors conducted scenario evaluations for situations involving an assault, domestic disturbance, traffic stop, Driving Under the Influence (DUI), and a traffic accident. All MPs had to complete this phase prior to conducting official MP duties on Fort Campbell.

Phase II – ALET provided several advanced training courses through qualified military and civilian instruction for MP patrol operations, tactical pistol, tactical surveillance, interview and interrogations, street/gang crimes, domestic violence intervention training, and child abuse protection and investigative techniques. The last portion of this phase included Patrol Supervisor, Critical Incident Commander, and MP Duty Officer training, while also preparing them for crisis negotiations. The intent of this training involved sending MPs in leadership positions and the most talented MP soldiers

for advanced training. Once leaders and soldiers received the training, the battalion employed the train-the-trainer technique to spread the wealth of information and improve collective police efforts across the command.

Phase III – Police Mentorship involved coordinated operations with Department of the Army Civilian Police (DACP), joint tactical training, ride-along opportunities with civilian police agencies, and establishing professional relationships with local, state and federal police agencies. Highlights included participation in local Active Shooter Response Exercises, Special Reaction Team and Special Weapons and Tactics (SWAT) training exercises at the Nashville Metro Training Academy (Tennessee), training courses with the Criminal Investigation Division and Drug Enforcement Agency, and police instructor training courses at FLETC.

#### Active Shooter Response (ASR) Training

To accentuate Peacekeeper Academy, MP soldiers also received approximately 40 hours of ASR instruction. Each soldier completed various training tasks regarding the topics of instruction listed below, followed by scenario-driven evaluations including force-on-force exercises utilizing simunitions.

Lesson 1: History of an Active Shooter
Lesson 2: Psychology of an Active Shooter
Lesson 3: Physiological Stress of a Patrolman
Lesson 4: Police Intelligence Fusion Cell
Lesson 5: Active Shooter Crisis Management
Lesson 6: Active Shooter Response

Table 4: 716<sup>th</sup> MP Battalion ASR Training<sup>27</sup>

Striving to ensure continuous exposure and develop a cultural approach to ASR issues, response action planning was added to weekly in-service training. Additionally, each MP patrol carried an ASR referral card—an organizational artifact that assisted in producing offensive and defensive behavioral patterns concerning an ASR incident.

The ASR training also included individual and collective-level training events originally piloted by civilian contractors and DACP. Each collective training event then received a formal evaluation. For example, one MP Company underwent an ASR External Evaluation (EXEVAL) to confirm unit readiness. The EXEVAL assessed the abilities of responding MP patrols to employ standardized training techniques and eliminate a threat during an emergency situation. The primary training objectives included:

- Train MP patrols for response to an Active Shooter or “shots fired” incident
- Conduct a live-fire exercise utilizing previous ASR training
- Implement proper long-gun tactics for entry drills during in-service training

The EXEVAL consisted of three phases: Phase I – Plan, establish, and implement ASR training in combination with daily operational law enforcement commitments; Phase II – Execute the EXEVAL incorporating a live-fire exercise and an ASR incident at the Fort Campbell High School; and Phase III – Consolidate and reorganize all equipment and personnel, concluding with a comprehensive formal After Action Review. Following the EXEVAL, the Battalion Law and Order Section and other external evaluators assessed the unit’s performance:

The company’s intensive law enforcement and ASR training was tested in order to verify the battalion-level Active Shooter SOP. The company effectively applied their training to competently complete a live-fire shoot-house and ASR exercise. They demonstrated excellent proficiency and



competence required to provide ASR support to the Fort Campbell Military Community.<sup>28</sup>

ASR training labors produced numerous intangible benefits for the MPs protecting the community. From improving individual policing skills to coordinating collective policing efforts to ensuring a positive perception of the MPs, the additional ASR training provided every MP an additional capability for patrol duties.

### Special Reaction Team (SRT)

To caveat LETS and ASR training, the 716<sup>th</sup> MP Battalion also established an Installation SRT and follow-on SRT training program for complex emergency situations. The SRT trained and equipped itself to contain and neutralize any special threat on the military installation. It consisted of a full-time Entry Team (MP), a part-time Entry Team (MP and DACP), and Auxiliary Support (MP Units) under the operational control of the Installation Provost Marshal's Office and Directorate of Emergency Services (DES). The SRT primarily consisted of MPs who successfully completed the USAMPS sponsored training. As stated by an SRT trainee and potential SRT member during the qualification course:

We are the last resort when all other means failed. I hope they take to heart that this type of training is meant to be last chance, and that we need to try other means to resolve a conflict before coming to these kind of special tactics.<sup>29</sup>

Following SRT qualification, soldiers competed in the Selection Process for membership on the SRT. Once selected, the benefits of this elite organization included advanced weapons and tactics training, participation in numerous individual and collective training exercises, which also involved combined ASR training events with local police agencies, as well as partaking in regional competitions. One such event

included the annual SWAT 2010 Roundup International in Florida where the SRT won a team event and earned recognition for their tactics and skills amongst their national and international partners.

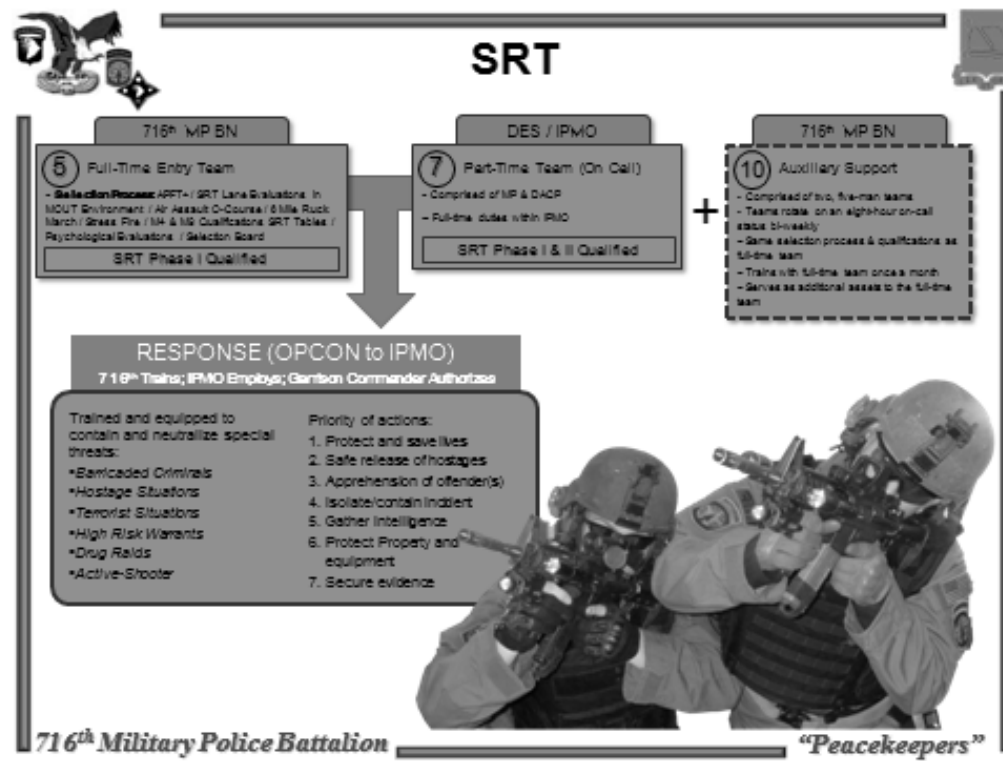


Figure 2: 716<sup>th</sup> MP Battalion SRT Organizational Chart<sup>30</sup>

The organizational training benefit included the SRT Mobile Training Team (MTT) visiting Fort Campbell for four training iterations over two years. Moreover, the MTT conducted both SRT Phase I (Tactics and Special Threats) and Phase II (Marksman/Observer) during each visit. This no-travel expense program provided over 100 MPs the opportunity to earn two federal training qualifications. The SRT also became responsible for battalion-wide SRT training events and operations due to the value of such police skills in both garrison and combat environments.

### Loaded Firearms – “RED Status”

Army Regulations authorize MPs to carry firearms to conduct law enforcement activities, provided they maintain eligibility and annual qualification standards. However, no regulation specifies the requirement to carry a loaded firearm for law enforcement duties. This point sounds absolutely senseless from a law enforcement and safety perspective, but MP units throughout the world do not carry a loaded firearm for garrison law enforcement duties. During the Cold War era building up to September 2001, MP units patrolled and protected military installations, but due to risk-adverse commanders, MPs generally did not receive authority to carry a loaded firearm on duty—with or without a magazine or chambered round. In late 2009, the 716<sup>th</sup> MP Battalion implemented a weapons training program to counter this issue. The program’s design involved in-depth and constant weapons qualification, shoot-don’t shoot scenario drills, and safety training. Upon completing the program and gaining concurrence of the DES and Garrison Commander, the Commanding General approved all MPs to carry a loaded weapon with a round chambered for official MP duties.

### Specialist Potter Vignette

Unfortunately, a serious incident normally causes a critical review of the negative actions taken. However, in the following case regarding Specialist Andrew Potter, the review supported the benefits of Peacekeeper Academy. After completing MP OSUT at USAMPS, then Private Potter arrived at his first duty station at Fort Campbell, Kentucky. He was assigned to a tactical MP company and attended an earlier two-week version of LETS. Eventually, he conducted customary MP duties and completed one combat tour. He successfully served in several positions, earning his promotion to Specialist (SPC)

and a position as a Traffic Accident Investigator. In support of his new duties, he completed Peacekeeper Academy and also participated in numerous SRT and specialized weapons training events—all of which ensured his survival one day while on patrol.

In the early morning hours of December 21, 2010, SPC Andrew Potter was conducting official MP duties on Fort Campbell, Kentucky. While on patrol, SPC Potter was signaled by a lone male who appeared to need some assistance. SPC Potter approached the individual, lowered the passenger side window of his patrol vehicle, and the individual inquired, "Can I have a ride to my quarters?" SPC Potter exited his vehicle and began to ask questions to better develop the situation and determine the appropriate actions. The individual claimed he was searching for his vehicle, at which time SPC Potter became suspicious due to the individual's agitated body language and erratic answers to his questions. SPC Potter then contacted the dispatch center to request assistance from another patrol. At this point, the individual became increasingly evasive stating, "You don't have to do that. You can just let me go now." SPC Potter attempted to call for the other patrol when the individual suddenly fled the scene on foot. SPC Potter pursued the individual – now potential subject – on foot, following him between two buildings, unaware that the subject laid waiting in ambush. As SPC Potter turned a corner, he was violently attacked. The subject stabbed and struck SPC Potter's face and neck with a large knife. The subject again fled the scene with SPC Potter continuing in pursuit until he collapsed from blood loss and the effects of blunt force trauma. When the subject realized SPC Potter was incapacitated, he immediately turned around and again attacked SPC Potter with his knife. SPC Potter recognized the subject's intent, so he employed escalation of force measures to prevent loss of life and the potential for continued violence. After being stabbed multiple times in vital areas of his body, SPC Potter drew his firearm and discharged one round, striking the subject and ending the assault. Remarkably, SPC Potter then called dispatch to report the incident and request medical assistance for himself and the subject.<sup>31</sup>

Immediately following the incident, SPC Potter was evacuated by air to Vanderbilt University Medical Center in Nashville, Tennessee, and was treated in the Intensive Care Unit (ICU) for several days. While in the ICU, he told his MP leadership that he was grateful for the training he received in Peacekeeper Academy and beyond. Today,

SPC Potter shares his story with every MP he knows. His personal goal is simple: “I want to ensure that the training, policies and lessons learned from my incident saves the lives of my fellow MPs.”<sup>32</sup> The incident emphasized the continued need for all three phases of Peacekeeper Academy training, the need for advanced tactics and weapons training to sustain and improve police skills, and the need for a loaded firearm is a must for survivability.

Peacekeeper Academy, combined with ASR and SRT training, can serve as a bridging strategy or MP pilot program for trained and professional police forces. The training program provided elementary and modern police academy training in addition to doctrinal MP training. It provided advanced field training to improve collective police operations. It provided continued professional training to sustain police competency. Most importantly, it provided a directed standard focused on ensuring each MP competently and safely served the military and civilian population employed and residing on a military installation. Finally, policing skills and security principles remain the same whether in garrison or in combat. Hence, Peacekeeper Academy police training ensured that the MP battalion conducted professional and competent law enforcement operations while remaining postured for combat operations and contingency missions.

### Combat Police Operations

In support of Army operations, MP primary functions include Law and Order (L&O), Internment/Resettlement (I/R), Police Intelligence Operations (PIO), Area Security (AS), and Maneuver and Mobility Support (MMS). In essence, non-MP soldiers can conduct information and intelligence collection & dissemination for PIO,

reconnaissance and security operations for AS, and route reconnaissance and surveillance for MMS. This has already occurred with other MOSs designated as “in lieu of forces” in both Iraq and Afghanistan due to mission requirements and the shortage of MP forces. However, the core MP proficiencies and capabilities that intertwine the functions are L&O and I/R operations.

The critical L&O tasks MP soldiers must conduct include law enforcement, police/criminal investigations, support to host nation law enforcement, and host nation police training/development. These tasks deserve specific certified training in order to properly conduct L&O duties. Nevertheless, one point of concern in Iraq and Afghanistan involved the outsourcing of law enforcement officers employed by the Law Enforcement Professional (LEP) program. The LEP background includes the following:

LEPs served as planners, advisors, and subject matter experts in support of designated US Army and Marine units. LEPs have transferred their law enforcement experience from investigating criminal suspects and networks in the US to the insurgency in Iraq and Afghanistan.<sup>33</sup>

The LEP contract invites former and/or retired civilian police experts from local, state or federal police agencies who possess exceptional experience investigating gangs, narcotic violations, organized crime, criminal networks, terrorism, and/or violent crimes. The LEP trains and deploys with battalion-level commands and higher in order to advise and recommend law enforcement operations in a unit’s operating space. At one point in time, one contractor offered two extravagant compensation packages for LEP employment:

Level 1 LEPs selected must have a Top Secret Security Clearance and at least 10 years law enforcement experience with complex investigative experience. LEP 1 can earn approximately \$260,200 for an entire year deployed overseas.

Level 2 LEPs selected must be eligible for a Secret Security Clearance and have at least 8 years investigative experience. LEP 2 can earn approximately \$218,600 for an entire year deployed overseas.<sup>34</sup>

Whether due to senior MP shortages or operational needs, contracting LEPs displayed a clear deficiency of MP capability and expertise. As stated by Colonel Robert Dillon, US Army MP Corps:

It seems apparent by the contracting of retired police officials through the Army Law Enforcement Professional (LEP) program, that the Army does not see the Military Police as legitimate police professionals. With regard to legitimacy of expert knowledge in the eyes of the client, the Military Police have a weak case for this element of professionalism.<sup>35</sup>

The critical I/R tasks MP soldiers must conduct include detainee operations, dislocated civilians, populace and resource control, and US military prisoner handling. These core MP tasks deserve specific certified training in order to properly conduct I/R duties. When required to train host nation police forces to operate detention facilities in countries such as Somalia, Kosovo, Iraq and Afghanistan, MPs must possess the baseline qualifications to teach and train host nation law enforcement personnel. This is especially true with the primary purpose to prevent another international incident such as Abu Ghraib in Iraq. Equally imperative, it is also vital when US forces withdraw from a combat theater and transfer police authorities and detention operations to the host nation.

#### Garrison Police Operations

As MPs redeploy from a combat theater, they must remove their “warrior faces” and put on their “officer friendly faces” in order to best serve the military communities they have sworn to assist, protect and defend. In doing so, possessing standard POST certification emphasizes competent service to any military community following

deployment to a combat theater. Key supporting operational tasks include daily MP patrols, police blotters, investigations, traffic enforcement, Military Working Dogs, bike patrol, SRT support, Absent Without Leave (AWOL)/Deserter Apprehension and Reporting, civil police liaison and warrants, as well as federal, state and local partnerships. Most importantly, as the face of DOD law enforcement, MPs must possess general patrol knowledge, philosophy, strategies, objectives, and methods that are common law enforcement requirements expected of a professional force. As more sophisticated crimes and trends increase on military installations, including active shooter incidents, suicides and domestic disturbances, MPs merit the very finest and up-to-date police training and certification.

During the past 10 years of combat operations, law enforcement activities remained necessary at each Army installation. Due to constantly deployed MP forces and shortages of police assets, DACP positions expanded to balance competing demands. The DACP provided a degree of continuity on military installations where MPs deployed from and provided police assets on installations where organic MPs did not exist. Yet, two fundamental conflicts arose regarding organizational structure. One, USAMPS established a police academy to initially provide 400 hours of pure law enforcement training for DACP, an initiative that MPs do not receive. And two, the hiring of DACP threatens the requirement to sustain an MP Branch in the Army, especially if civilian police contracts meet short or long-term MP force structure requirements.



## Expeditionary Detention Mission

After the terrorist attacks on September 11, 2001, the US responded with military force in Afghanistan and eventually in Iraq. Both missions have had one unintended outcome—the long-term detention of suspected terrorists. In turn, the US military must train for, equip and maintain long-term detention operations in support of the enduring quest to eradicate terrorism. As this unintended effect impacts the entire DOD, one resolution is that the US Army MP Corps seizes the initiative by creating an operational template for all US Services to properly support long-term detention operations.<sup>36</sup> Therefore, the US Army MP Corps can counter the effect by reorganizing its primary MOS to include mandatory corrections and detention training as a portion of POST certification.

Including individual-level corrections and detention training as part of centralized certification seems appropriate to maintain professional credibility both nationally and internationally, which clearly supports the institutional success the US Army MP Corps advocates with American Correctional Association (ACA) accreditation. The ACA is commonly known as the principal international correctional association across the globe.

The Standards and Accreditation Department of the American Correctional Association (ACA) serves a dual mission of providing services for ACA and the Commission on Accreditation for Corrections (CAC). These services include the development and promulgation of new standards, revision of existing standards, and coordination of the accreditation process.<sup>37</sup>

As outlined on the official ACA website, the accreditation process involves administration and management assessments, training and services evaluations, inmate programs, and a facility review. In August 2011, the USAMPS I/R Specialist

Course achieved ACA/CAC accreditation. This earned the US Army the prestigious Golden Eagle Award from ACA. In October 2011, Catherine C. Mitrano, Deputy Assistant Secretary of the Army, Director, Army Review Boards Agency reported:

The Golden Eagle Award is presented to agencies that accredit all of their facilities and offices associated with corrections. The Army is one of approximately 17 federal and state agencies and the only DOD agency to be awarded the Golden Eagle Award. The Army has all of its correctional facilities, the Army Corrections Command, Army Clemency and Parole Board, and the Correctional Training Academy accredited.<sup>38</sup>

By providing initial corrections and detention operations certification, each MP becomes a force multiplier in support of any operational challenge. As the certified subject matter experts, MPs can deliver the professional expertise required for the diverse set of offensive, defensive and stability operations across the full spectrum of military operations. Ultimately, the proper training and certification for such a critical undertaking can prevent future mission failures.

#### Consequence Management Support Operations

The US Army has designated several units to respond to a domestic industrial accident, natural disaster, or terrorist attack in the US. In addition to law enforcement activities in garrison, MPs participate in such Defense Support of Civil Authorities (DSCA) operations. To successfully assist civilian communities during the array of DSCA support missions, MPs must credibly perform as competent and capable law enforcement experts, i.e., POST certified professionals. When conducting DSCA, as in other operations, MPs must possess the recognized baseline qualifications to properly support and aid emergency response professionals in a civilian community. For example, in the event of manmade or natural disasters such as the attacks on September 11, 2001 and Hurricane Katrina in 2005, DOD possessed the personnel,

resources and capability to provide immediate support, including the possible use of MP forces in support of civil authorities. As stated in the US Army Domestic Operational Law Handbook for Judge Advocates:

DOD consists of trained, disciplined personnel and organizations capable of rapidly responding to a broad spectrum of emergencies on a short-notice basis. Military personnel and their associated equipment, although organized to conduct combat operations, can often be effectively employed in civil support operations. Consequently, DOD will continue to be called upon to assist civil authorities.<sup>39</sup>

In October 2009, the 716<sup>th</sup> MP Battalion (Fort Campbell, Kentucky) was the first MP battalion headquarters to serve in the historic year-long Chemical, Biological, Radiological, Nuclear and High Yield Explosive (CBRNE) Consequence Management Response Force (CCMRF) mission. “The CCMRF's primary role when responding to an incident is to augment the consequence management efforts of the first responders”<sup>40</sup> and local authorities. For that reason, assigned MP units trained to conduct general support operations as directed by DOD. Unfortunately, “Title 10” or federal force MPs could not respond to police situations as peace officers due to the unsolidified interpretation of federal law as well as perceived inadequate certification.

#### Certification Opportunities

Opportunity 1: USAMPS (Fort Leonard Wood, Missouri) establishes and operates a full-time DOD accredited police academy (Joint Center of Law Enforcement Excellence) resulting in equivalent POST certification for DOD law enforcement personnel.

Opportunity 2: USAMPS sends all MPs to the State of Missouri Police Academy for POST certification. The Missouri Department of Public Safety's POST Program is

responsible for the licensure of peace officers, reserve peace officers, and training centers in the state.<sup>41</sup>

Opportunity 3: USAMPS sends all MPs to FLETC, Department of Homeland Security (Glynco, Georgia), to complete equivalent POST certification. “The FLETC serves as an interagency law enforcement training organization for 90 federal agencies and provides services to state, local, tribal and international law enforcement agencies.”<sup>42</sup>

Opportunity 4: USAMPS initiates residential and non-residential equivalent POST certification phased throughout an appropriate time-frame utilizing the Officer Education System (OES) and Noncommissioned Officer Education System (NCOES).

Way Ahead: Opportunity 1 best supports the objective to provide initial and equivalent POST certification for MP operations (patrol, investigations, and corrections/detention) during combat, garrison, and consequence management operations. An accredited police academy allows the US Army MP Corps to respond with certified professionals for competing law enforcement demands. It provides for consistent, institutionalized and evolving police doctrine. It also decreases the amount of post-USAMPS decentralized training programs, permitting commanders to focus on advanced police skills. Undoubtedly, the US Army MP Corps can improve individual, collective and organizational MP capabilities if it adopts such a significant cultural change.

## Conclusion

To effectively conduct law enforcement functions during combat, on military installations world-wide, and in support of civil authorities for consequence management

operations, MPs must possess a civilian equivalent POST certification. Such a certification ensures MPs remain relevant and reliable police assets. The US Army MP Corps has fully supported Army operations and has always achieved mission accomplishment since its inception in 1941. Yet, when considering the lack of a nationally recognized certification, the use of “in lieu of forces” for MP functions, outsourcing for LEPs, and hiring DACP, US Army MP Corps leaders must prevent the perception that a separate MP branch is not crucial to the Army. Accordingly, by implementing a centralized certification program that equates to civilian state-level POST qualification, the US Army MP Corps can send a positive strategic policy message: US Army MPs, and possibly all DOD police forces, serve as nationally certified, competent and credible police professionals in any environment throughout the world.

## Endnotes

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<sup>4</sup> Martin E. Dempsey, *America’s Military – A Profession of Arms*, White Paper (Washington DC: U.S. Joint Chiefs of Staff, February 2012), 1.

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<sup>7</sup> Lycia Carter and Mark Wilson, "Measuring Professionalism of Police Officers," *The Police Chief*, February 2012, [http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display\\_arch&article\\_id=971&issue\\_id=82006](http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=971&issue_id=82006) (accessed February 15, 2012).

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<sup>13</sup> Ibid.

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<sup>17</sup> State of Georgia, "About P.O.S.T.," <http://www.gapost.org/about.html> (accessed October 20, 2011).

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