Uncodified: The Development of Military Component Police Assistance from Operation Uphold Democracy

A Monograph

by

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The US military has attempted to provide police assistance in nearly every conflict following the Vietnam War. After 1975, the US Army tried to build police capability in Panama, Afghanistan, and other countries, without an established doctrine for police assistance. During the intervention in Haiti, Operation Uphold Democracy, the military planned and implemented numerous policing innovations. After the operation, the US Army did not record the experience of creating an international armed police force, developing emergency police training, co-opting police facilities, or other innovations in doctrine. The armed forces did not build police assistance capability because of the organizational structure employed. Separately, military police, special forces, infantry units, and their headquarters addressed the police problem. Thomas Kuhn, a Harvard University professor who taught the development of science, created an applicable model of scientific progress. Kuhn posited that without a community of scientists there could be no paradigm or model to explain phenomena. Kuhn's model is uniquely suitable for understanding the lack of police assistance knowledge development after the military attempted to support the establishment of two police forces and provide civil security in Haiti.

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Abstract

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The US military has attempted to provide police assistance in nearly every conflict following the Vietnam War. After 1975, the US Army tried to build police capability in Panama, Haiti, Bosnia, Iraq, Afghanistan, and other countries, without an established doctrine for police assistance. During the intervention in Haiti, Operation Uphold Democracy, the military planned and implemented numerous policing innovations. After the operation, the US Army did not record the experience of creating an international armed police force, developing emergency police training, co-opting police facilities, or other innovations in doctrine. The armed forces did not build police assistance capability because of the organizational structure employed. Separately, military police, special forces, infantry units, and their headquarters addressed the police problem. Thomas Kuhn, a Harvard University professor who taught the development of science, created an applicable model of scientific progress. Kuhn posited that without a community of scientists there could be no paradigm or model to explain phenomena. Kuhn's model is uniquely suitable for understanding the lack of police assistance knowledge development after the military attempted to support the establishment of two police forces and provide civil security in Haiti.

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Acknowledgements

Acronyms

10MTN	10th Mountain Division
25ID	25th Infantry Division
DOD	Department of Defense
DOJ	Department of Justice
DOS	Department of State
FADH	Forces Armées d'Haïti (Haitian armed forces)
GOH	Government of Haiti
ICITAP	International Criminal and Investigative Training Program
IPM	International Police Monitor
IPSF	Interim Public Security Force
HNP	Haitian National Police
HN	Host Nation
JTF	Joint Task Force
JTF-HAG	Joint Task Force – Haiti Assistance Group
MCPA	Military Component Police Assistance
MP	Military Police
MNF	Multi-National Forces
MOOTW	Military Operations Other Than War
OUD	Operation Uphold Democracy
PKSOI	Peacekeeping and Stability Operations Institute
SF	Special Forces
UN	United Nations
UNMIH	United Nations Mission in Haiti
USACOM	United States Atlantic Command
USG	United States Government

Illustrations

Introduction

> We will train a civilian-controlled Haitian security force that will protect the people rather than repress them. During this period, police monitors from all around the world will work with the authorities to maximize basic security and civil order and minimize retribution.
>
> —President William Clinton, "Address to the Nation on Haiti," 15 September 1994

During Operation Uphold Democracy (OUD) in Haiti from 1994 to 1995, military leaders unsuccessfully attempted to avoid assisting foreign police, created numerous innovations when pressed, and forgot the developments quickly. The military had sound reasons to avoid providing police assistance, as neither the joint force or US Army possessed a doctrinal model, cultural proclivity, or legal mandate to do so. When a US Atlantic Command (USACOM) historian asked the Joint Task Force (JTF) Provost Marshal and 16th Military Police (MP) Brigade Commander, Colonel Michael Sullivan, "What kind of joint or service guidance exists to help you in putting together a program such as what you are operating here?" Sullivan responded, "Is there anything written that tells us what to do in these operations? If there is, I'm unaware of it."[1] The head MP was right, there was no official guidance on how a military force should assist foreign police. Yet, two JTFs could not escape the necessity to assist the police. USACOM, 10th Mountain Division (10MTN), and 25th Infantry Division (25ID) delegated police assistance responsibility in piecemeal to the MP, Special Forces (SF), infantry, federal agencies, and international organizations which inhibited organizational development.

Separately, military units improved policing in the streets, prisons, and stations. American forces assisted efforts to vet, recruit, and train two police forces, the Interim Public Security Force (IPSF) and the Haitian National Police (HNP). At the United States government (USG) level, the United States Agency for International Development, the Department of Justice (DOJ), and the Department of State (DOS) all independently planned and executed police

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[1] Cynthia L. Hayden, *JTF-190 Oral History Interviews, Operation Uphold Democracy* (Fort Bragg, NC: XVIII Airborne Corps & Fort Bragg Training Support Center, 1995), 309.

assistance. Further, the USG endeavored to pass responsibility for policing to the nominally

independent International Police Monitors (IPM) and then to the United Nations (UN). Despite

significant military component police assistance (MCPA), the US Army and joint force did not

develop a police assistance model based upon OUD because the military did not effectively

manage responsibility for policing.

Police assistance is a poorly defined term, despite common usage. Neither the military,

federal agencies, or Congress have defined police assistance, while simultaneously reporting

having spent a combined $13.9 billion on the task from 2009-2011.[2] The US Army does not treat

police assistance as a task common to many units, despite widespread practice from Operation

Just Cause (1989-1990) to Operation Iraqi Freedom (2003-2011). So ambiguous is "police

assistance," that the term is undefined in the DOS *Police Assistance Guide* and the DOS is the

congressionally designated lead agency.[3] Joint doctrine authors acknowledge that the DOS has

"the lead role for police assistance," and provide no definition.[4] The Government Accountability

Office noted in a report on police assistance that agency "roles and responsibilities for conducting

police assistance" are also undefined at the executive level.[5] The closest the DOS comes to a

definition of police assistance is an explanation of "The Police Function" as a part of a criminal

justice system working in concert with prosecutorial, defense, and judicial functions.[6] Therefore,

police assistance should be understood as an effort to develop host nation police as a part of a

criminal justice system. Defining the police is an inherently difficult task as the roles of police are

modern and socially defined. Over time, the function of police has differed both between cultures

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[2] US Government Accountability Office, *Foreign Police Assistance* (Washington, DC: Government Printing Office, 2012), 4.

[3] Ibid., 24.

[4] US Department of Defense, Joint Publication (JP) 3-22, *Foreign Internal Defense* (Washington, DC: Government Printing Office, 2010), A-5.

[5] Ibid., ii.

[6] US Department of State, International Narcotics and Law Enforcement Affairs (INL), *INL Guide to Police Assistance* (Washington, DC: Government Printing Office, n.d.), 2-3.

and within cultures.[7] Egon Bittner, a noted sociologist, provided a definition for the police function which has achieved widespread acceptance. According to Bittner, the defining characteristic of the police institution is the "monopoly to employ … coercive force in situations where its use is unavoidably necessary" to achieve order and safety.[8] Within this definition of police, prison guards and palace guards also fit. Therefore, military component police assistance (MCPA) is all actions by military forces to improve host nation organizations which civilian authorities have empowered to utilize force for public order with an understanding of the interdependent relationship of the police, judicial, and penitentiary systems. A new definition for police assistance by military forces is necessary because the term is undefined and alternative paradigms are insufficient.

The US Army and DOD advocate a Security Sector Reform concept which does not adequately describe the role of US military forces in the development of host nation police system in practice. The DOD notion of Security Sector Reform appears to subsume police assistance. According to the DOD, Security Sector Reform is "a comprehensive set of programs and activities undertaken by the HN [Host Nation] to improve the way it provides safety, security, and justice."[9] However, the US Army further clarifies that the military role in Security Sector Reform is only to "support the establishment, reform, and restructuring of a host nation's armed forces and defense sector."[10] As currently described, the military Security Sector Reform interpretation is not compatible with the practice of developing HN police systems.

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[7] Jonathan Cooper, *In Search of Police Legitimacy: Territoriality, Isomorphism, and Changes in Policing Practices* (El Paso, TX: LFB Scholarly Publishing, 2014), 15.

[8] Egon Bittner, *The Functions of Police in Modern Society* (Washington, DC: Government Printing Office, 1970), 122.

[9] US Department of Defense, Joint Publication (JP) 3-07, *Stability* (Washington, DC: Government Printing Office, 2016), III-6.

[10] US Department of the Army, Field Manual (FM) 3-07, *Stability* (Washington, DC: Government Printing Office, 2014), 1-12.

Typically, OUD police assistance researchers have emphasized interagency and international efforts at the expense of military contributions. The most detailed work addressing the military role in Haitian police assistance , is Robert B. Oakley, Michael J. Dziedzic, and Eliot M. Goldberg's *Policing the New World Disorder*. Oakley, Dziedzic, and Goldberg highlight the role of the DOJ International Criminal and Investigative Training Program (ICITAP). However, the authors do not address the military's efforts in detail. Moreover, *Policing the New World Disorder* fails to address how the military resourced and synchronized the police development plan. Lastly, Oakley, Dziedzic, and Goldberg use Haiti as a case study to prove that the military role in police assistance should be limited to the period between the end of combat operations and the arrival of civilian law enforcement experts, which they term as the "deployment gap."[11] Furthermore, the authors posit that the military, in police assistance, is a "blunt instrument" only capable of "imposing a most basic, rigid form of order."[12] In Haiti, the civilian experts arrived nearly simultaneously with military forces and MCPA was neither basic or rigid. *Policing the New World Disorder* does not cover the military's substantial police assistance efforts sufficiently.

Several scholars have published on the military role in police assistance. Most commonly, authors have focused on the need to create a new force structure, often described as constabulary or gendarmerie forces. Colonel (Retired) Dennis Keller developed this argument in his Peacekeeping and Stability Operations Institute (PKSOI) paper *U.S. Military Forces and Police Assistance in Stability Operations: The Least-Worst Option to Fill the U.S. Capacity Gap*.[13] RAND produced a similar study example commissioned by PKSOI which explores the

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[11] Robert B. Oakley, Michael J. Dziedzic, and Eliot M. Goldberg, *Policing the New World Disorder: Peace Operations and Public Security* (Washington, DC: National Defense University Press, 1998), 6.

[12] Ibid.

[13] Dennis E. Keller, *U.S. Military Forces and Police Assistance in Stability Operations: The Least Worst Option to Fill the U.S. Capacity Gap* (Carlisle, PA: Strategic Studies Institute, US Army War College, 2010), 39.

feasibility of a federal agency or the MP Corps developing a gendarmerie force. [14] The former head of ICITAP, during OUD, Robert Perito, also advocated for an MP Corps gendarmerie unit in *Where is the Lone Ranger?: America's Search for a Postconflict Stability Force.*[15] The need for a the USG to provide enhanced civil security immediately following major combat operation is uncontroversial and more specialized military forces is both a simple and costly solution. Stability researchers have not focused on how the existing military force could improve through a police assistance doctrine.

Few authors have dealt with MCPA as a theoretical or doctrinal field. Researchers have not published on the police assistance models the military used to build police forces in Panama, Haiti, Bosnia, Afghanistan, and Iraq. Why the US Army, which has a rich history of doctrinal development, did not translate a reoccurring activity into a theoretical, doctrinal model is noteworthy. Only in 2015, after nine years of attempting to reform the Afghan National Police, did the US Army publish doctrine covering the "establishment, maintenance, or restoration of the rule of law."[16] Neither doctrine writers nor researchers have significantly developed MCPA as a theoretical field.

In *The Structure of Scientific Revolutions,* Thomas Kuhn provides a model which explains the lack of progress toward an American military doctrine for police assistance. Kuhn argues that before the evolution of a theory or paradigm, there must be a set of conditions, which include a community of concerned scientist and failure of the previous model. Nearly all prerequisite conditions were present during OUD police assistance operations. However, the JTF envisioned and divided responsibility for police assistance in a manner which prevented the

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[14] Terrence K. Kelly, Seth G. Jones, and James Barnett, *A Stability Police Force for the United States: Justification and Options for Creating U.S. Capabilities* (Santa Monica, CA: RAND, 2009), 122.

[15] Robert Perito, *Where is the Lone Ranger?: America's Search for a Postconflict Stability Force* (Washington, DC: US Institute of Peace, 2004), 79.

[16] Department of the Army, Army Techniques Publication (ATP) 3-39.10, *Police Operations* (Washington, DC: Government Printing Office, 2015), iv.

development of what Kuhn describes as a body of "concerned scientists."[17] The presence of a group of concerned scientists is the missing element in the development of a Kuhnian paradigm for MCPA based upon OUD.

Following OUD, the US military did not develop doctrine on how to conduct police assistance because the USG and military delegated responsibility in a manner which prevented the establishment of a community of concerned military officers. The US experience conducting police assistance in Haiti reveals several themes; the military contribution was significant, solutions were ad hoc, both interagency and international efforts occurred under a concealed military aegis, and most organizations did not believe they were responsible for police assistance. Before and after OUD, the military believed that police assistance was either an interagency or international problem. The OUD MCPA experience did not contribute to doctrinal development because the military diffused responsibility across unconnected US Army organizations, USG agencies, and international bodies which prevented the creation of a concerned community of military leaders.

MCPA Preparation 29 September 1991 – 18 September 1994

On 30 September 1991, Lieutenant General Raoul Cedras and the Port-au-Prince FADH police chief removed President Jean-Bertrand Aristide from power. The coup simultaneously provided the cause for intervention and FADH reformation. Haitian and USG leaders both believed that the FADH, which combined army and police functions, required reformation due to evidence of systematic human rights abuses. The USG had recognized that the FADH was a destabilizing influence and dispatched ICITAP to begin a five-year police assistance program just before the coup.[18] Upon exile, Aristide proclaimed that the separation of the police from the

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[17] Thomas S. Kuhn, *The Structure of Scientific Revolutions*, 2nd ed. (Chicago: University of Chicago Press, 1970), 78.

[18] Margaret Hayes and Gary Weatley, *Interagency and Political-Military Dimensions of Peace Operations: Haiti: A Case Study* (Washington, DC: National Defense University, 1996), 45.

military and the removal of high ranking FADH members were conditions for his return. Haitian society, the USG, and the deposed president all believed that the FADH needed radical reformation.

In early 1993, senior US military officials anticipated an intervention and sought international involvement. Admiral William Owens, the Vice Chairman of the Joint Chiefs of Staff, stated, "We felt strongly that without that kind of commitment from the United Nations, one could not envision an American occupying force going in. There needed to be a United Nations force that would come in."[19] The DOD successfully lobbied and convinced USG leaders to envision intervention as an international responsibility. Military professionals believed that the international community would be responsible for much of the intervention effort.

Within the Army, analysts predicted that the military might be responsible for police assistance in an intervention. In June 1993, the Army's Foreign Military Studies Office published a study, *Planning for Haiti*, which predicted a military role in police during an intervention. The study authors foresaw the disbanding of the Haitian military "in favor of some form of national police force to maintain order and impose authority as development programs are effected throughout the country" as a military mission.[20] The authors conjectured that military planners should utilize Army MP units to professionalize the police.[21] Military involvement in police assistance, in Haiti, was a predictable requirement.

At the same time, Haitian leaders saw a similar need for police assistance. In July 1993, Aristide and Cedras met on Governor's Island just below Manhattan Island, New York. Both Aristide and Cedras agreed to establish "a new Police Force with the presence of United Nations

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[19] Stefano Recchia, *Reassuring the Reluctant Warriors: U.S. Civil-Military Relations and Multilateral Intervention* (Ithaca, NY: Cornell University Press, 2015), 84.

[20] William W. Mendel and Stephan K. Stewman, *"Planning for Haiti" Operation Uphold Democracy: US Forces in Haiti*, CD-ROM (Norfolk: VA, US Atlantic Command, 1997), 15.

[21] Ibid., 25.

personnel in these fields."[22] Haiti's leaders formally agreed that police assistance was an

international UN responsibility. In *Resolution 862* (1993), the UN concurred and took note of

calls to establish a "new police force."[23] As a direct result, US military planners likely concluded

that the Haitian government and the UN believed police assistance was an international

responsibility.

On 6 August 1993, the Joint Staff directed USACOM to establish a Haiti JTF. USACOM

appointed the former commander of 7th SF Group, Colonel James Pulley as the commander of

the ad hoc JTF-Haiti Assistance Group (JTF-HAG). Soon after assembling his new command,

Pulley "directed his staff to plan for separating the Haitian Police from the military."[24] However,

Pulley did not want to get military forces in the police assistance business. In an article published

one month before the invasion, Pulley articulated a detailed understanding of civilian police

assistance efforts and the civilian role in a separated FADH.

> The more general U.N. mission in Haiti had begun a year earlier, in September 1992,
> with the arrival of 18 observers to monitor and report on human rights abuses. By the
> time the Governors Island Accord was signed, the number of observers had increased to
> about 200, and they were called the International Civilian Mission, or ICM. At the heart
> of the accord lay the need to remove the Haitian police from the control of the Haitian
> military. To accomplish this, two other components were added to the existing U.N.
> mission. The first was the International Police Monitors, or IPM, consisting of a nucleus
> of 100 Royal Canadian Mounted Police and 476 French gendarmes, with additional
> police from Argentina, Algeria and other French-speaking U.N. member states, whose
> mission was to establish and train an independent, professional, civilian police force.[25]

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22 Jean-Bertrand Aristide and Raoul Cedras "Agreement of Governors Island July 3, 1993 trans. USACOM," *Operation Uphold Democracy: US Forces in Haiti*, CD-ROM (Norfolk: VA, US Atlantic Command, 1997), 2.

23 United Nations Security Council, *Resolution 862* (New York: UN Security Council, 1993), 1.

24 Walter E. Kretchik, Robert F. Baumann, and John T. Fishel, *Invasion, Intervention, "Intervasion": A Concise History of the U.S. Army in Operation Uphold Democracy* (Fort Leavenworth, KS: US Army Command and General Staff College Press, 1999), 35.

25 Stephen M. Epstein, Robert S. Cronin, and James G. Pulley, "JTF-Haiti: A United Nations Foreign Internal Defense Mission," *Special Warfare* (July 1994): 2-9, accessed 15 January 2018, https://www.dvidshub.net/publication/issues/8287, 3.

In another interview, Pulley reiterated that the JTF-HAG role was a part of the UN commander's efforts "in separating the Army from the police mission."[26] After JTF-HAG separated the military and police, the UN or Royal Canadian Mounted Police were to run a five-year police training program.[27] The JTF-HAG commander was focused on the army component. JTF-HAG proposed creating a task force consisting of 599 soldiers in which all trainers were SF and none were MP. The task force requested only ten MP to provide internal support.[28] The JTF-HAG commander and his planners were aware of the police assistance that civilian organizations would provide and envisioned the military role as restricted to training the FADH army component.

On 11 October 1993, the JTF-HAG main body planned to make landfall at Port-au-Prince on USS *Harlan County*. Haitian paramilitary forces demonstrated at the port and forced *Harlan County* to return to America. The international police contingent left Haiti two days later, which should have demonstrated to planners the inherent difficulties in outsourcing responsibility to the international community.[29] Without a clear way ahead, USACOM disbanded JTF-HAG in November and gave responsibility for planning forcible and permissive entry options to XVIII Airborne Corps.[30]

The XVIII Corps commander, G3 operations officer, and G5 plans officer all credited Major William Garrett as the "unsung hero" responsible for developing concept plans 2370 and 2380, which covered forcible and permissive entry options respectively.[31] Garrett looked to *The*

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[26] Joseph Fischer, Richard W. Stewart, and Stanley Sandler, *Army Special Operations Force in Haiti: 1991-1995* (Fort Bragg, NC: US Army Special Operations Command Directorate of History, Archive, Library, and Museums, 1997), 5.

[27] Ibid.; Peter Riehm, "The USS Harlan Country Affair," *Military Review* 77, no. 4 (July-August 1997): 42-49, accessed 15 January 2018, http://cgsc.contentdm.oclc.org/cdm/singleitem/collection/p124201coll1/id/426/rec/1, 43.

[28] Fischer et al., *Army Special Operations Force in Haiti: 1991-1995*, 6-7.

[29] Stephen M. Epstein et al., "JTF-Haiti: A United Nations Foreign Internal Defense Mission," 8.

[30] Fischer et al., *Army Special Operations Force in Haiti: 1991-1995*, 10.

[31] Cynthia L. Hayden, *JTF-180 Oral History Interviews, Operation Uphold Democracy* (Fort Bragg, NC: XVIII Airborne Corps & Fort Bragg Training Support Center, 1995), 14, 72, 201.

Fog of Peace, a book he received at the School of Advanced Military Studies, for guidance. The planner believed that the text on Operation Just Cause would help him understand "how to build up a country after you've invaded it."[32] Garrett could not have picked a better guide for the MCPA challenges which lay ahead as there were many similarities to OUD. In Panama, the military headquarters "established the Public Force" and "coordinated the equipping and arming of the police."[33] Similarly, infantry units performed a police role.[34] MP focused on policing in the cities and eventually served as "behavioral examples."[35] Special operations forces were involved policing and police training.[36] ICITAP claimed lead responsibility despite a lack of available trainers.[37] Additionally, "issues involving the proper U.S. role in establishing, influencing, advising, and training Panama's security forces were never resolved."[38] Understanding nearly identical issues in Operation Just Cause was appropriate because as a US Army War College study would note, there was a "void in joint doctrine for 'standing up' a police force."[39]

Before the intervention, Garrett had made a significant effort to involve MP in planning. The 16th MP Brigade commander and staff participated extensively in the planning process.[40] However, although MP are an intuitive focal point for MCPA, military leaders did not intend or plan for MP to conduct police assistance. An MP sergeant assigned to 118th MP Company, 16th MP Brigade, noted that his OUD train up focused on "internment/resettlement operations, area

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[32] Hayden, *JTF-180 Oral History Interviews, Operation Uphold Democracy*, 50.

[33] John T. Fishel, *The Fog of Peace: Planning and Executing the Restoration of Panama* (Carlisle Barracks, PA: Strategic Studies Institute, US Army War College, 1992), 37.

[34] Ibid.

[35] Ibid., 47.

[36] Ibid., 37, 49.

[37] Ibid., 37, 50.

[38] Ibid., 59.

[39] Graves T. Myers, *The Development of Civil Police in Haiti, September 1994 to August 1996* (Carlisle Barracks: PA, US Army War College, 1997), 19.

[40] Hayden, *JTF-190 Oral History Interviews, Operation Uphold Democracy*, 302.

security, convoy escorts, and police operations … none of us were prepared to teach, coach, and mentor the Haitian police."[41] The initially assigned MP tasks matched MP doctrinal force employment, and HN policing was not a core doctrinal task. What the Army had written in MP doctrine on advising HN police was of little use. The MP capstone manual devoted ten times more space to preventing juvenile delinquency than training HN police.[42] The total MCPA guidance provided by *Field Manual (FM) 19-10: Military Police Law and Order Operations* was, "When MP are assigned to work directly with foreign national police, their actions are governed by the prevailing status of forces agreements. The PM" (Provost Marshal) "ensures that MP maintain a professional attitude and that they are not critical of how other nations do things."[43] Planners prepared the MP force to serve in their doctrinal role.

Most JTF elements planned to execute doctrinal tasks, and MCPA was not a part of Army doctrine. Twenty-Fifth Infantry Division, which replaced 10MTN, summarized the general pre-deployment position of all JTF forces on military involvement in police assistance in their after-action report. The command described, "military presence in the prisons and police stations" in a section aptly titled "Missions Not Initially Envisioned" as the result of a "crisis in law enforcement." MCPA was a quick reaction to prevent "very real threat of prison riots and wanton lawlessness in the streets" and not a preplanned task.[44] Most JTF forces before deployment did not believe that the military would be responsible for developing the FADH into a capable police force. The international community, UN and federal partners such as ICITAP would bear the brunt of addressing the array of police assistance needs.

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[41] John W. Ladik, *Operation Uphold Democracy* (El Paso, TX: US Army Sergeants Major Academy, 2010), 6.

[42] US Department of the Army, Field Manual (FM) 19-10, *Military Police Law and Order Operations* (Washington, DC: Government Printing Office, 1987), 62-43, 8.

[43] Ibid., 8.

[44] US Army Peacekeeping Institute. *Success in Peacekeeping: United Nations Mission in Haiti: The Military Perspective* (Carlisle Barracks, PA: US Army Peacekeeping Institute, n.d.), 16.

In the final months, USACOM continued to prepare for both an intervention and invasion. In September 1994, a month before the intervention, the National Security Council Haiti Interagency Working Group conducted a "walk through," attended by military planners, federal agencies, and the eventual UN civilian police commander.[45] Marine Corps Major General Michael Byron, the USACOM J5 Plans Officer, asked the DOJ to cover the police assistance plan. The DOJ representative informed the USACOM planner that the department was incapable of the task. Rebuffed, Byron assigned the problem to an officer who "spent the next three days working at his desk to assemble a plan to create the Interim Public Security Force and the International Police Monitors."[46] Ten days later, USACOM published detailed guidance for US military attaches in donor countries around the world.[47] USACOM planned to fill key IPM billets with US military service members. However, USACOM was "happy to substitute US officers with international police officers in most areas."[48] The DOD set about providing the IPM with everything from canteen cups to vehicles, not to mention pay and per diem. USACOM put the military into police training as well. SF and ICITAP would train some of the IPM in Puerto Rico.[49] USACOM created innovative solutions to ensure that police assistance remained an international obligation.

By the beginning of September 1994, military leaders believed a military intervention was inevitable. Cedras had reneged on the Governor's Island Accord and refused to leave

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[45] Myers, *The Development of Civil Police in Haiti, September 1994 to August 1996*, 8.

[46] Kretchik et al., *Invasion, Intervention, "Intervasion": A Concise History of the U.S. Army in Operation Uphold Democracy*, 70.

[47] US Atlantic Command, *Administrative/Medical Instructions to International Police Monitor (IPM) Donor Countries*, 22 September 1994, in the Joint Lessons Learned Information System, accessed 12 October 2017, https://www.jllis.mil/apps/index.cfm?do=binders:binder.cdrview&binderid=3085&cdrid =34737, 3.

[48] Ibid., 5.

[49] US Army Center for Lessons Learned, *Operation Uphold Democracy Initial Impressions D-20 to D+150* (Fort Leavenworth, KS: US Center for Lessons Learned, 1995), 133.; US Army 10th Mountain Division, *Operations in Haiti: Planning Preparation / Execution August 1994 thru January 1995,* ed. by David Stahl (Fort Drum, NY: US Army 10th Mountain Division, 1995), 96.

peacefully. The UN had formally approved an American led multinational military action with follow-on UN stabilization mission, on 31 July 1994.[50] Before the invasion, the military had justification to believe that ICITAP, the IPM, and eventually the UN would conduct the mission's police assistance. Neither SF, MP or JTF leaders believed that police assistance would be an assigned task. USACOM did not task any unit with overseeing the management of police and corrections reform.

Military Component Police Assistance during Uphold Democracy

Clinton set the deadline for Cedras to cede power at noon on 18 September 1994. At five, in the afternoon, on the 18th, Ex-President Jimmy Carter and an American delegation convinced Cedras to accept an intervention instead of an invasion. Military forces hastily switched their plans to a less forceful option. The overall headquarters, JTF-180, organized around the XVIII Airborne Corps staff, on USS *Whitney*, hurried through last minute details. The JTF-180 J5 Plans section had identified but not begun work on the plan for "Reorganization of the Police."[51] The 10MTN, organized as JTF-190, launched from ships on helicopters on 19 September 1994 to oversee Aristide's peaceful return.

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[50] United Nations Security Council, *Resolution 940* (New York: UN Security Council, 1994), 2.

[51] Worrell, H., Memorandum for J5, Ongoing Planning Efforts, Box 912A, Folder "CIV MIL OPS," Combined Arms Research Library Haiti Special Collection, 1.
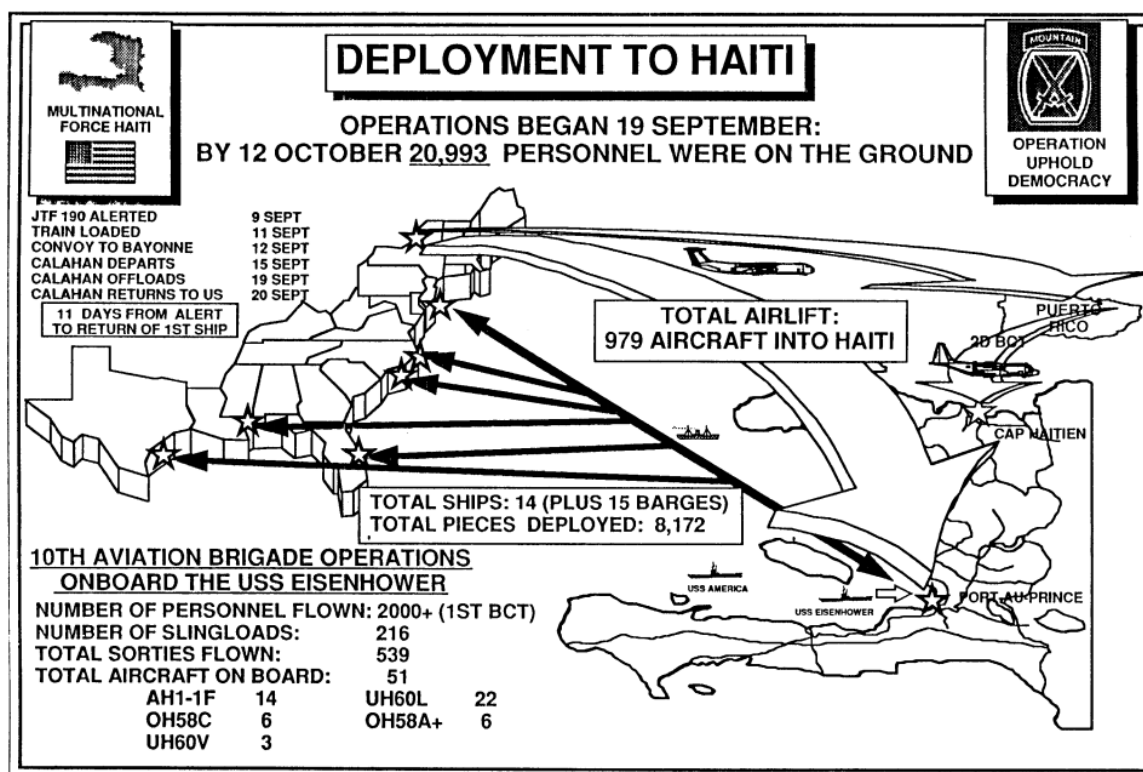
Figure 1. Force Flow. US Army 10th Mountain Division, Operations in Haiti Briefing, Part 3, 28 February 1995, in the Joint Lessons Learned Information System, accessed 17 December 2017, https://www.jllis.mil/ ?doit=view&disp=cdrview&cdrid=33634, 16.

19 September 1994 – 31 March 1995: Multi-National Forces (MNF)

On the second day in Haiti, Haitian police beat a man to death while American soldiers stood by and watched.[52] Lieutenant General Hugh Shelton, the XVIII Airborne Corps, JTF-180 commander, called the 16th MP commander and instructed him to find the FADH Chief of Police and change how the organization policed. Later, the JTF-180 commander verbally ordered the MP commander "to put Military Police in the police stations."[53] The MP commander's intent was for MP to observe, guide, and role model proper policing. Shelton later stated that the improvised MP role was to monitor Haitian police stations and "show their Haitian counterparts by example

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[52] Rick Bragg, "MISSION TO HAITI: IN PORT-AU-PRINCE; Cheers and Sighs of Relief as Beatings Subside," *New York Times,* 23 September 1994, accessed 15 October 2017, http://www.nytimes .com/1994/09/23/world/mission-haiti-port-au-prince-cheers-sighs-relief-beatings-subside.html.

[53] Hayden, *JTF-190 Oral History Interviews, Operation Uphold Democracy*, 304.

the procedures police use in democratic society."[54] An MP NCO would remain in every police station until the MNF departed.[55] Within the cities, the MP provided more civil police assistance than initially anticipated.
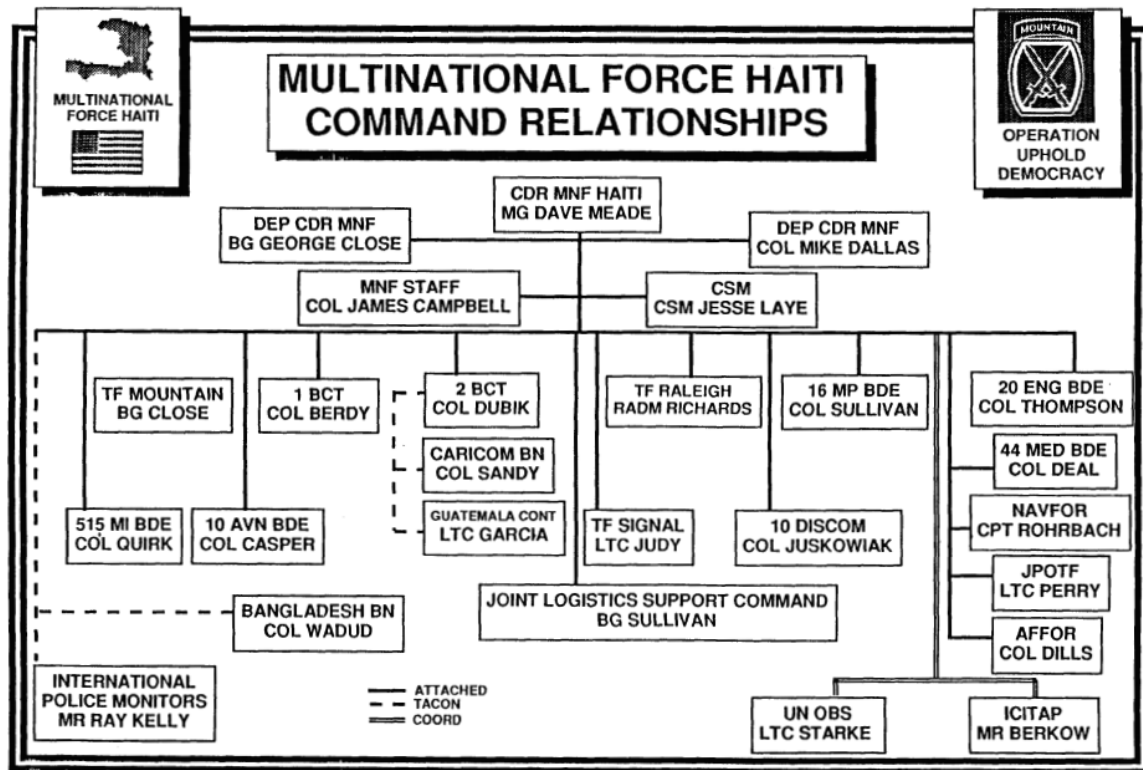
Figure 2. MNF Command Relationships. US Army 10th Mountain Division, 10th Mountain Division Operations in Haiti, Part 3. 28 February 1995, in the Joint Lessons Learned Information System, accessed 31 October 2017, https://www.jllis.mil/?doit=view&disp=cdrview&cdrid =33634, 2.

In the first days, at least one 10MTN officer believed that there was an urgent need for the military to be more involved in police assistance. In an event which would later become an ethics case study, Captain Lawrence Rockwood led an unauthorized armed inspection of the

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[54] Linda Robinson and Tim Zimmermann, "A Creeping Mission," *U.S. News & World Report,* no. 117: 14-24, 10 October 1994, accessed 28 January 2018, http://web.b.ebscohost.com.lumen.cgsccarl.com/ ehost/detail/detail?vid=3&sid=ac3fef35-cc45-47d2-bbad-26a9169560ec%40sessionmgr103&bdata= JnNpdGU9ZWhvc3QtbGl2ZSZzY29wZT1zaXRl#AN=9410067572&db=a9h.

[55] US Army 25th Infantry Division, *Historical Report MNF Haiti 25th Infantry Division (Light)* (Schofield Barracks, HI: 25th Infantry Division, 1995), 9.

National Penitentiary on 29 September 1994 to verify reports of human rights abuses. He had

made an earlier attempt which was unsuccessful because "military police refused him an escort,

saying their orders were to monitor Haitian police stations and police patrols but not prisons."[56]

The MP were correct. The JTF was not responsible for the prisons. However, the prisons would

soon become an MP responsibility as well, and 10MTN would plan police assistance.

SF soldiers could not ignore the prisons either. A detachment commander discovered on

his first day at his new garrison that he was responsible for running a prison which reminded him

of "Dachau or Buchenwald."[57] SF took responsibility for monitoring the prisons within their

areas of operation. The SF JTF commander, Brigadier General Richard Potter, personally

inspected cells with the FADH, Red Cross, and the local district attorney.[58] With no prior

planning, SF soldiers began supervising the jails in their area of operations.

Upon arrival, SF in the countryside discovered a compelling need to become police

officers too. On 21 October 1994, JTF-190 formally tasked the special operations task force to

"monitor the performance of duties by IPSF."[59] One detachment team sergeant later wrote,

> First, we were not to interfere in 'Haitian on Haitian violence,' the euphemism for cops
> and thugs beating the living shit out of unarmed civilians. Then we were to prevent
> Haitian on Haitian violence (always qualified by saying that also meant civilian violence
> against police- widespread as that was). Then we were to assume police functions until
> Haitian police were trained.[60]

The Army Special Operations Command official account recorded that SF soldiers matched MP

efforts in the city:

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[56] Stephan Wrage, "Captain Lawrence Rockwood in Haiti," *Journal of Military Ethics* 1, no. 1 (2002): 42-52, accessed 15 October 2017, http://www.tandfonline.com/doi/abs/10.1080/150275702753 457415, 51.

[57] Fischer et al., *Army Special Operations Force in Haiti: 1991-1995*, 36.

[58] Ibid., 37.

[59] JTF-190, FRAGORD 374, Box 933A, Folder "Haiti – USACOM – ARSOTF #1," Combined Arms Research Library Haiti Special Collection, 8.

[60] Stan Goff, *Hideous Dream: A Soldier's Memoir of the US Invasion of Haiti* (Berkley, CA: Soft Skull, 2000), 109.

For Special Forces soldiers, the law enforcement aspects associated with the US mission became the most time consuming part of the U.S. presence and one of the most frequently cited as being a source of frustration. The first problem that Special Forces soldiers faced was that their role as law enforcement officers had only the most tenuous legal sanction. Because US forces had not entered the country according to the forced entry plan, they could not subject the country to martial law. Legally, the Cedras government had accepted the US presence, however, no Status of Forces Agreement existed leaving only the Rules of Engagement to govern the legal limits of US forces.… Each ODA commander had essentially free reign to determine the extent of his soldier's enforcement powers.… Frequently, Special Forces soldiers arrested people based upon verbal testimony.[61]

SF served as beat cops, special investigators, and trainers. SF provided significant non-doctrinal direct police support throughout Haiti. An SF detachment was among the "first to train Haiti's new Palace Guard" instead of ICITAP.[62] At police stations, "Special Forces soldiers provided classes in first aid, basic communication, English, and other classes considered to be non-offensive in nature." The Green Berets provided significant police assistance guided by common sense instead of a doctrinal model.

MNF planners turned their attention to how to incorporate Haitians refugees who had received police training. Before the invasion, the DOD housed 992 Haitians refugees at Guantanamo Bay and promised that through police training they would receive preferential hiring in the future HNP. After the intervention, military leaders developed a proposal on how to distribute, pay, and incorporate the refugee policemen for the Ambassador and Government of Haiti.[63] Military planners became more involved in police assistance than they had envisioned during the initial planning.

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[61] Fischer et al., *Army Special Operations Force in Haiti: 1991-1995*, 49.

[62] Goff, *Hideous Dream: A Soldier's Memoir of the US Invasion of Haiti*, vii.

[63] Joint Task Force 190, "GTMO Trainee Employment Plan—MNF Proposal," *GTMO Trainee Concept*, 1 January 1994, in the Joint Lessons Learned Information System, accessed 5 January 2018, https://www.jllis.mil/?doit=view&disp=cdrview&cdrid=34758., 5.; Joint Task Force 190, "Implied Tasks," *HAITIAN POLICE FORCE (GUANTANAMO TRAINEES) -- SECURITY ISSUES,* 18 November 1994, accessed 15 January 2018, https://www.jllis.mil/?doit=view&disp=cdrview&cdrid=34783, 20.

The JTF-190 plans section promulgated an idea on how to vet and rebuild the Cap Haïtien police stylized as the "The Cap Haitien Model."[64] The division planners prepared the Cap Haitien Model to "establish law and order respected by the people" with "success defined by GOH having an interim professional police force."[65] Additionally, there was an urgent need to establish a police presence in Cap Haïtien as the garrison had fled after marines killed ten FADH members on September 25th, 1994.[66] Tenth Mountain Division conceptualized the mission as three overlapping phases: "assemble and muster the FAHD," "unit and individual screening," and "IPM integration."[67] ICITAP's contribution was limited to developing training with the IPM and then training both the former FADH and GITMO trainees.[68] In turn, the IPM would "conduct daily operations with the FADH" and "do mentoring."[69] The American division "suggested" nine Haitian FADH colonels to supervise the vetting process.[70] The division psychological operations section developed the new badges while the logisticians tracked down "white shirts with brown pants" for new uniforms.[71] Patrolling was conducted by an amalgamation of the IPM, FADH, and MNF.[72] The planners and Defense Secretary William J. Perry hoped that their model could work

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[64] US Army 10th Mountain Division, *Plans Developed in Support of Operation Uphold Democracy,* 1 January 1994, in the Joint Lessons Learned Information System, accessed 15 November 2017, https://www.jllis.mil/?doit=view&disp=cdrview&cdrid=36197, 1.

[65] US Army 10th Mountain Division, *The Cap Haitien Model: Executing Vetting and Rebuilding the Police in Cap Haitien*, n.d., in the Joint Lessons Learned Information System, accessed 1 November 2017, https://www.jllis.mil/apps/index.cfm?do=binders:binder.cdrview&binderid=3085&cdrid=34781, 2.

[66] US Army 10th Mountain Division, *Operations in Haiti: Planning Preparation / Execution August 1994 thru January 1995*, 94.

[67] US Army 10th Mountain Division, *The Cap Haitien Model: Executing Vetting and Rebuilding the Police in Cap Haitien*, 3.

[68] Ibid., 11.

[69] Ibid., 10.

[70] Ibid., 8.

[71] Ibid., 14.

[72] Ibid., 5.

across Haiti.[73] The 10MTN commander noted, the "police are essential to ensuring the safe and secure environment for the success of the mission. The MPs and IPM are holding the structure of the force together, because they must be kept operational. If not, we have two bad choices; we are the police, or we are not. We need to get them out and doing their job."[74] The military component could not escape responsibility for police assistance and attempted to organize the nominal leads, ICITAP, and the IPM.

Second Brigade, 10MTN, JTF-190, organized the first IPSF unit on 9 October 1994. The division described the Cap Haïtien force as a "test unit" made up of "GTMO trainees and FADH members." The 10MTN credited 2d Brigade for having conducted "intensive police training for the IPSF, … numerous innovations such as new IPSF uniforms" and working "extensively with community leaders in Cap Haitien to build an effective police force that was accepted by the population."[75] Reporters from the *New York Times* and *Washington Post* believed the public did not accept the Cap Haitien trainees after watching them "hooted" and "jeered" off of the street in their first patrol.[76] The 2d Brigade commander, Colonel James Dubik, stated that the effort was "phase one of an experiment."[77] Post-intervention, military forces were the first to organize the recruitment and training of police forces in Haiti.

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[73] US Army 10th Mountain Division, *The Cap Haitien Model: Executing Vetting and Rebuilding the Police in Cap Haitien*, 3; John F. Harris, "Haitians Jeer U.S.-Sponsored Policemen," *Washington Post*, 10 October 1994, accessed 6 January 2018, https://www.washingtonpost.com/archive/politics/1994/ 10/10/haitians-jeer-us-sponsored-policemen/91116b77-29e9-4111-8870-b26ddef137e7/?utm_term =.a6c4435151e3.

[74] US Army 25th Infantry Division, *CHRONOLOGY - Multinational Force Haiti, Joint Task Force 190, 25th Infantry Division (Light),* 20 February 2003, in the Joint Lessons Learned Information System, accessed 5 November 2017, https://www.jllis.mil/?doit=view&disp=cdrview&cdrid=34730, 7.

[75] US Army 10th Mountain Division, *Operations in Haiti: Planning Preparation / Execution August 1994 thru January 1995*, 94.

[76] Eric Schmitt And John Kifner, "Training of Police In Haiti Hampered By Personnel Gap," *New York Times,* 24 October 1994, accessed 6 January 2018, http://www.nytimes.com/1994/10/24/ world/training-of-police-in-haiti-hampered-by-personnel-gap.html?pagewanted=all; Harris, "Haitians Jeer U.S.-Sponsored Policemen."

[77] Harris, "Haitians Jeer U.S.-Sponsored Policemen."
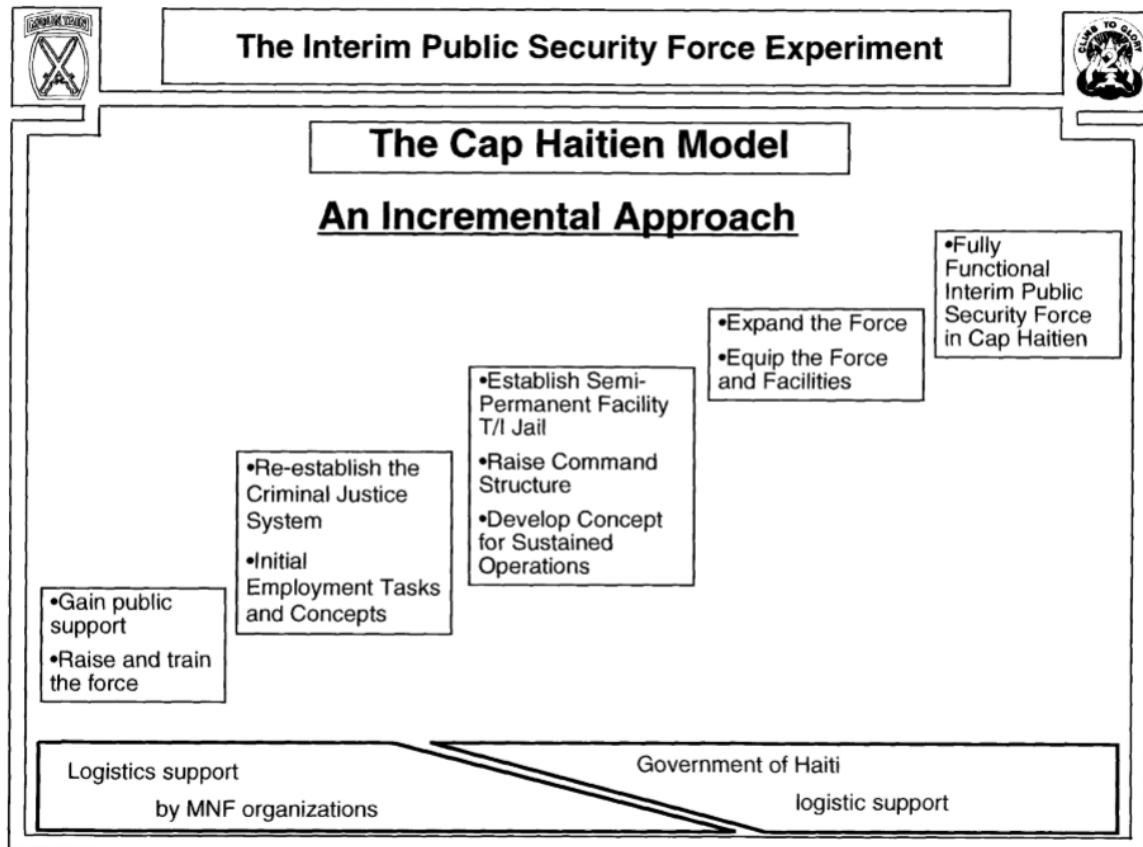
Figure 3. The Cap Haitien Model. US Army 10th Mountain Division, 10th Mountain Division, 2d Brigade Combat Team Briefing, 1 January 1994, in the Joint Lessons Learned Information System, accessed 17 December 2017, https://www.jllis.mil/?doit=view&disp=cdrview&cdrid= 34723, 4.

Military leaders drove the transition from the IPSF to the long-term HNP. Aristide did not guarantee employment in the HNP for former FADH members. Despite this, in the countryside, SF units cajoled FADH officers to remain on duty and attend the six-day course IPSF course. [78] At the strategic level, the MNF commander tried to convince Aristide of five points: that IPSF members had the potential for permanent employment, the GOH must pay employees, the GOH should evaluate the FADH and IPSF on "loyalty and performance," IPSF

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[78] Fischer et al., *Army Special Operations Force in Haiti: 1991-1995*, 41.

must work, and civilian leadership.[79] The military was successful in convincing both Aristide and former FADH members to support the USG vision for the HNP. The military in addition to other USG organizations had to intervene to shape the structure for the Haitian police force.

The MNF developed the Cap Haitien Model to meet an urgent local need and the IPSF to meet an urgent national need. ICITAP developed a police training facility at the Camp d' Application, Port-au-Prince to run a six-day police training course.[80] The military vetted former FADH and delivered the Guantanamo trainees to the training site. The 10MTN actively tracked the development thru of the new police force. After supporting an urgent decentralized MCPA model, the military supported a novel centralized police assistance approach.

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[79] US Army 10th Mountain Division, *Operations in Haiti: Planning Preparation / Execution August 1994 thru January 1995*, 93.

[80] John R. Ballard, *Upholding Democracy: The United States Military Campaign in Haiti, 1994-1997* (Westport, CT: Praeger, 1998), 147.

Figure 4. Haiti Security Plan. US Army 10th Mountain Division, 10th Mountain Division Operations in Haiti, Part 4. 28 February 1995, in the Joint Lessons Learned Information System, accessed 31 October 2017, https://www.jllis.mil/?doit=view&disp=cdrview&cdrid=33634, 4.

On 8 October 1994, the same day 2nd Brigade, 10MTN began recruiting police, the IPM began their share of police assistance with military support. In a novel arrangement, 1st Battalion, 7th Field Artillery Regiment, 10MTN served as an ad hoc police headquarters.[81] After accounting for interpreters, artillerists accounted for one of every eight members in the IPM. The MNF charged the field artillery headquarters with coordinating "operational and logistics effort."[82] The JTF-180 logistics deputy commanding general asserted that the support given exceeded the military's expectations.[83] Lastly, the military staff provided the police with an armed escort in

[81] US Army 10th Mountain Division, *10th Mountain Division, Operation Uphold Democracy: Operations in Haiti: Planning, Preparation, Execution, August 1994 thru January 1995*, 1-27.

[82] Ibid.

[83] US Atlantic Command, "Interview (U), Brig Gen Julian A. Sullivan, Jr., USA, CG Joint Logistics Support Command, JTF 190/MNF," *Operation Uphold Democracy: US Forces in Haiti*, CD-ROM (Norfolk: VA, US Atlantic Command, 1997), 8.

and around the headquarters at Port-au-Prince.[84] Even an international policing solution required

USG military support to operate.

The IPM did not remove the military from police assistance. The IPM patrolling concept

was "four men in a jeep," an MP driver, IPM and IPSF officers, and an interpreter.[85] The 16th

MP Brigade Commander summed up how the JTF diffused police assistance responsibility: "So

there you had three groups of people all occupying the same terrain – none of which had the same

role or mission." [86] In practice, both the IPM and MP would have to work to prevent overlap.[87]

No MNF leader below the overall commander supervised all American organizations conducting

police assistance. Even after the IPMs had been in Haiti for a month, the JTF-180 commander's

staff prepared briefing notes which stated that "the police issue is our most pressing and

complex."[88] The closing of the police expert "deployment gap" did not eliminate the need for the

military to continue to conduct police assistance.

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[84] Alfred A. Valenzuela and Theodore Russell, "Operation Uphold Democracy: The 10th Mountain Division in Peace Operations," *Field Artillery*, June 1995, accessed 5 November 2017, www.army.mil/firesbulletin/archives/1995/JUN_1995/JUN_1995_FULL_EDITION.pdf, 30.

[85] Perito, *Where is the Lone Ranger?: America's Search for a Postconflict Stability Force*, 111.

[86] Hayden, *JTF-180 Oral History Interviews, Operation Uphold Democracy*), 304.

[87] Ibid., 305.

[88] Joint Task Force 190, JTF 190 Staff to GEN Sheehan; Preparation for your 19 November Meeting, Box 912A, Folder "Haiti – Polit – USA – GEN SHEEHAN - NOTES," Combined Arms Research Library Haiti Special Collection, 3.

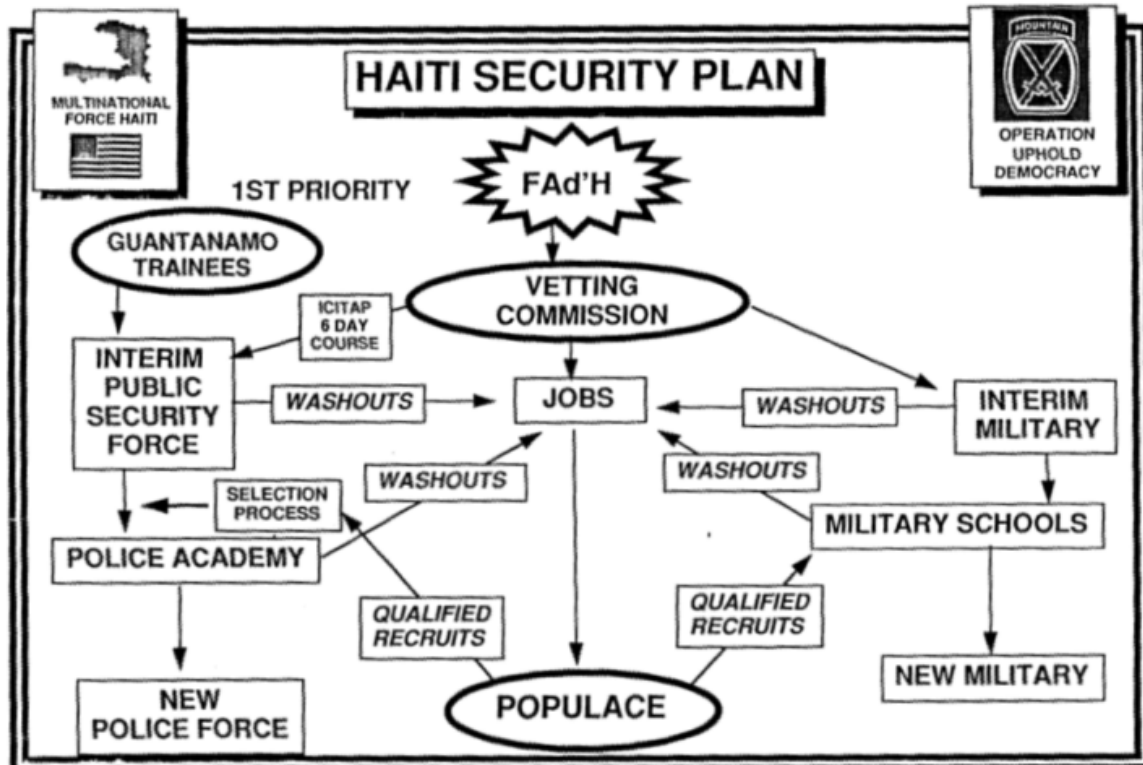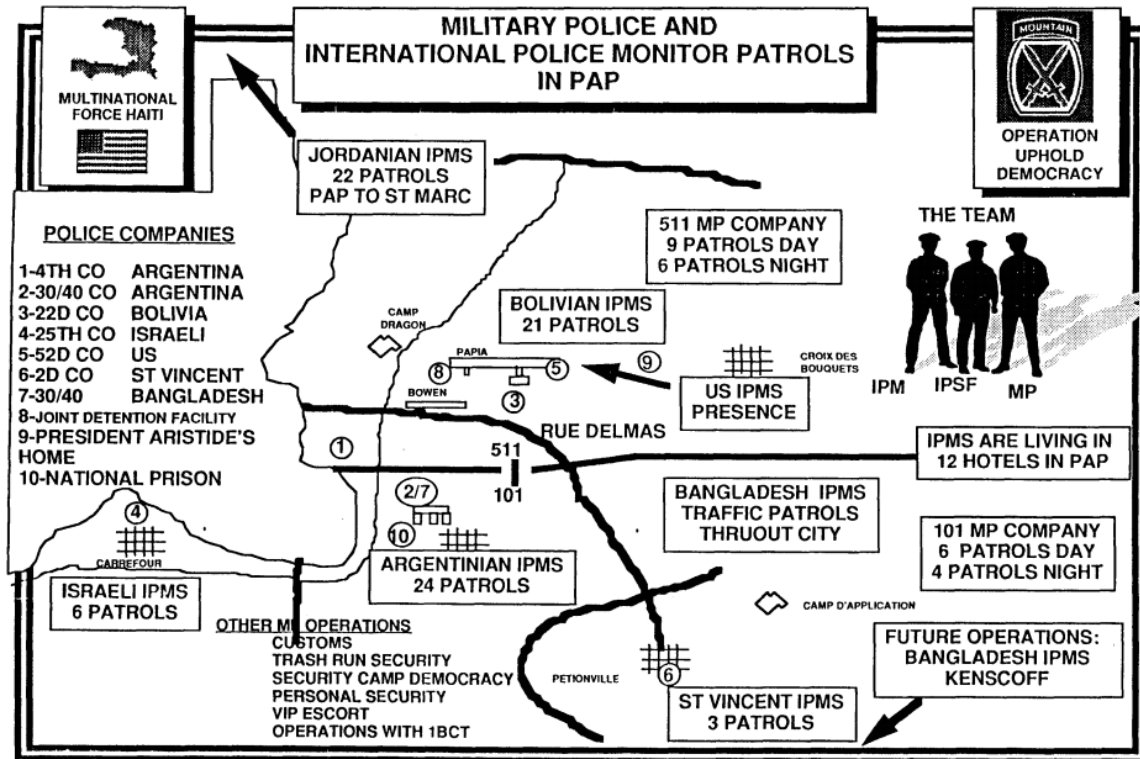Figure 5. Military Police and International Police Monitor Patrols in PAP. US Army 10th Mountain Division, 10th Mountain Division Operations in Haiti, Part 3. 28 February 1995, in the Joint Lessons Learned Information System, accessed 31 October 2017, https://www.jllis.mil/ ?doit=view&disp=cdrview&cdrid=33634, 24.

Policing demands revealed deficiencies in the military police organizational employment structure. Both 10MTN and 25ID created ad hoc "Provisional" MP Battalions to meet the police assistance challenge.[89] Both battalions were anomalies, created by rebranding the division's provost marshal officers and sergeants major as battalion staffs.[90] The divisions created the additional MP battalion headquarters to maintain a reasonable span of control for other two MP battalions and allow the redeployment of the 519th MP Battalion.[91] OUD demonstrated that the existing organizational construct did not meet the police assistance challenge. Both battalions

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[89] US Army 25th Infantry Division. *Historical Report MNF Haiti 25th Infantry Division (Light)*, 3.

[90] Ibid., 37.

[91] US Army 16th Military Police Brigade (Airborne), *After Action Review Operation Uphold Democracy 20 SEP-17NOV94* (Fort Bragg, NC: 16th MP Brigade, n.d,), 7, 41.

were short-term fixes. The 25th MP Battalion (Provisional) was active for only four months.[92] During the organization's brief existence, the 25th MP Battalion was charged with, "Joint Patrol Operations with the Haitian Police and International Police Monitors (IPM) together with working in the Haitian Police Stations, maintenance of a presence at the Haitian National Prison, Operation of a Joint Detention Facility, … and Discipline, Law and Order within US Forces."[93] The Battalion also gave itself credit for reforming the National Petitionary, the self-proclaimed "worst prison in the western hemisphere."[94] The military created ad hoc solutions to respond to a crisis in policing.

The sole US casualty during OUD occurred while performing police tasks, which highlights the danger and significance of police work. On 12 January 1995, Sergeant First Class Gregory Cardott and Staff Sergeant Tom Davis were working near a toll booth in Gonaives when a Ford Ranger ran the toll. The attendant requested assistance and the soldiers pursued in their HMMWV. After stopping the pickup, Cardott attempted to get the driver to pay the toll. A passenger and former FADH officer, Orel Fredrick, became unruly and Cardott attempted to handcuff him.[95] "Cardott then "engaged with pepper spray."[96] Fredrick pulled a concealed pistol, shot and killed Cardott, and wounded Davis. The tasks necessary to resolve the situation, conduct a vehicular chase, handcuff a suspect, and employ pepper spray are a policeman's stock in trade. Performing as police can be a matter of life and death for military forces.

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[92] US Army 16th Military Police Brigade (Airborne), *After Action Review Operation Uphold Democracy 20 SEP-17NOV94* (Fort Bragg, NC: 16th MP Brigade, n.d.), 21.

[93] US Army 25th Military Police Battalion (Provisional), *25th Military Police Bn (Provisional) Historical Record Of Operation Uphold Democracy*, 26 March 1995, in the Joint Lessons Learned Information System, accessed 5 November 2017, https://www.jllis.mil/?doit=view&disp=cdrview&cdrid =34649, 2.

[94] Ibid., 3.

[95] Fischer et al., *Army Special Operations Force in Haiti: 1991-1995*, 47.

[96] Ibid.
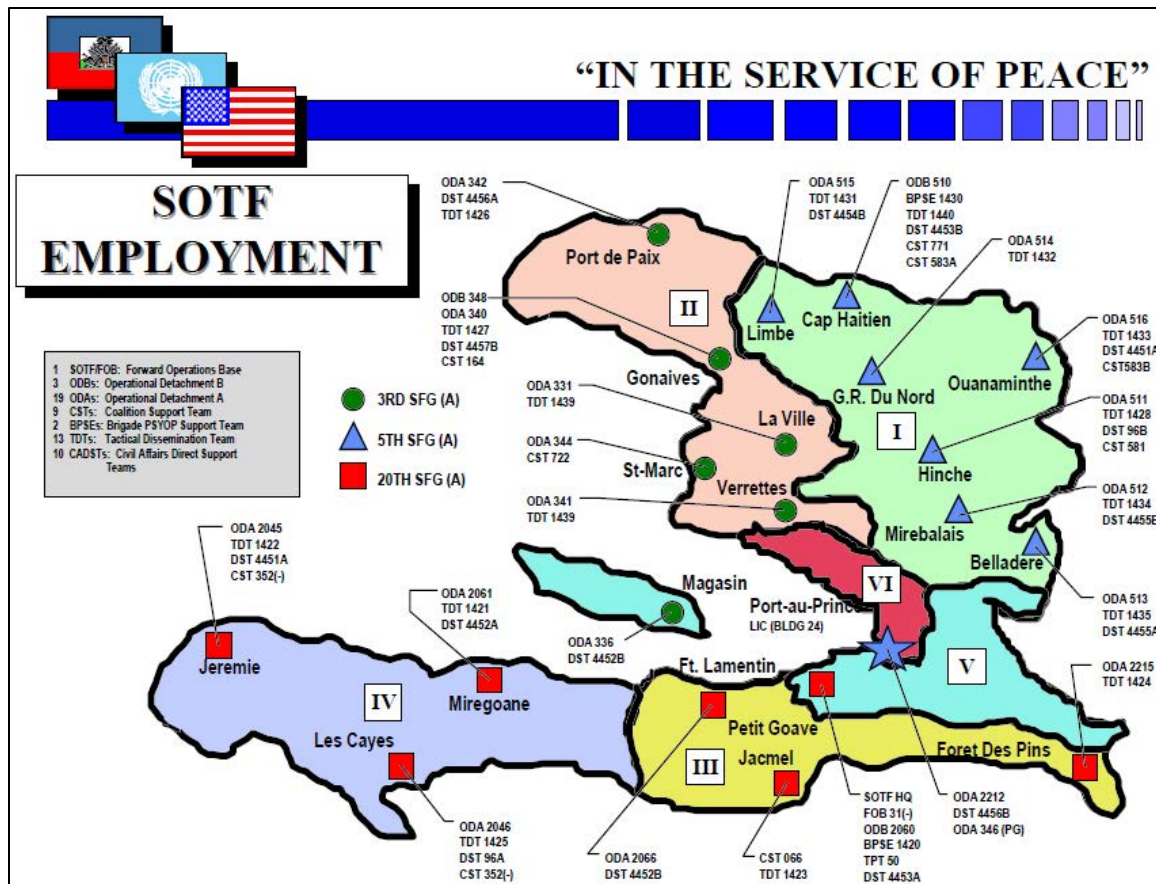
Figure 6. Special Operations Task Force Employment. US Army Peacekeeping Institute. *Success in Peacekeeping: United Nations Mission in Haiti: The Military Perspective* (Carlisle Barracks, PA: US Army Peacekeeping Institute, n.d.), 8.

On the 14 January 1995, Major General George Fisher and the 25ID assumed responsibility for MNF and JTF-190. Before deployment, the division trained the unit's MP on joint patrolling and running detention facilities in anticipation of the actual mission.[97] A change of divisions resulted in the redeployment of the IPM's field artillery headquarters. The military continued to assume responsibility for the IPM. Marines continued to fill the positions of deputy director of operations, liaison, and the director's aide.[98] New artillerymen from the 25ID's divisional artillery filled out many of the key positions in operations, logistics, and

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[97] US Army 25th Infantry Division, *Historical Report MNF Haiti 25th Infantry Division (Light)*, 73.

[98] Ibid., 43.

communications.[99] Despite preparing to engage the Haitian police, the new division commander viewed the IPMs as essential because "clearly military forces are not trained for" policing.[100]

Tenth Mountain Division passed the 25ID a "blueprint" for police assistance which demonstrates an understanding of the task and the division of responsibility amongst federal agencies and US Army units. The division summed up how the military had diffused recruiting responsibility with a briefing which stated that police academy applicant information was the purview of "ICITAP, SOF, IPM, MP, GOH."[101] Additionally, both SF and MP soldiers had an independent responsibility for monitoring the IPSF. No single federal agency or military organization held sole responsibility for police assistance.

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[99] US Army 25th Infantry Division, *Historical Report MNF Haiti 25th Infantry Division (Light)*, 43.

[100] US Atlantic Command, "Joint History Interview Transcript Multinational Force Haiti Major General George A. Fisher Commander, Multinational Force Haiti," *Operation Uphold Democracy: US Forces in Haiti*, June 6, 1995, CD-ROM (Norfolk: VA, US Atlantic Command, 1997), 5.

[101] US Army 10th Mountain Division, *10th Mountain Division, Operation Uphold Democracy: Operations in Haiti: Planning, Preparation, Execution, August 1994 thru January 1995*, 1-34.

Haitian National Police
A Blueprint for a Loyal and Competent Force

LOYALTY COMPETENCE

US Embassy
Link to GOH

Vetting Commission
5 FAd'H Colonels
Examine & select Fad'H for IPSF
Appeals Dec 94-Mar 95

ICITAP
Police Academy
6 Day Course (IPSF)
21 Day Course (GITMO)
4 Month Police Academy

Selection to Police Academy
GOH Run
Candidates from:
IPSF
Population
GITMO Trainees
Applications input from:
ICITAP
SOF
IPM
MP
GOH
ICM

Equipment for Police Force

GITMO Trainees
ICITAP 21 day course
MNF/DOS/DOJ/GOH positions
Police Trainees
Work in IPM HQS
Work in MNF
Guards at palace
GOH employ all trainees

MNF
Monitor all programs
2D BCT: Cap Haitien Model
MP companies: Monitor IPSF, Liaison
JSOTF: Monitor IPSF, work with FAd'H, Liaison
IPM: teach, coach, mentor, monitor

GOH

Ministry of Justice
•Recruiting
•Selection
•National Police

Ministry of Defense
•Interim Military
•Interim Police
•Professional Military

Ministry of Interior
•Jobs
•Reintegration

Parliament

Successes
•6-DAY Course - 2990 graduates
•IPM deployment
•Vetting Commission
•Active Info Program
•Getting Police on the street

Justice System
Revitalized
Prison Reform
Truth Commission

Legislature
Pass the Required Police Laws

FAd'H
Interim Military
Interim Public SEC Force
Professional Military
Requires Permanent CINC

USAID & IOM
Jobs Program

Figure 7. Haitian National Police Blueprint. US Army 10th Mountain Division, 10th Mountain Division, Operation Uphold Democracy: Operations in Haiti: Planning, Preparation, Execution, August 1994 thru January 1995 (Fort Drum, NY: 10th Mountain Division and Fort Drum Training and Audiovisual Support Center, 1995), 1-27.

In January 1995, the Haitian government began to bypass the joint vetting process and hire directly into the IPSF. An unnamed American official reported to the *Washington Post* that the Haitian government had "proposed to include hundreds of unvetted people in the Interim Public Security Force which was unacceptable" to the US government. [102] The media reported that only the strong objections of the US government and national security advisor Anthony Lake

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[102] Douglas Farah, "U.S. Exercises Its Influence on Aristide," *Washington Post,* 22 February 1995, accessed 31 December 2017, https://www.washingtonpost.com/archive/politics/1995/02/22/us-exercises-its-influence-on-aristide/9420b508-fc58-4660-b848-5affbd6315fa/?utm_term=.4479dd1de58d.

had scuttled the initiative.[103] An SF team sergeant remembered putting both vetted and unvetted IPSF members onto a helicopter bound for the Camp d' Application training site.[104]

As the new year began, 10MTN, JTF-190, transitioned focus from the IPSF to establishing the HNP. On 31 January 1995, ICITAP began the first iteration of the four-month HNP course. Tenth Mountain Division conceptualized the MCPA plan as a three-phase operation. A desired condition of phase two was to establish a "Judicial system: Courts functioning throughout Haiti, humane and just jails and prisons established."[105] The military developed and implemented a comprehensive police assistance plan.

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[103] Farah, "U.S. Exercises Its Influence on Aristide."

[104] Goff, *Hideous Dream: A Soldier's Memoir of the US Invasion of Haiti*, 372.

[105] US Army 10th Mountain Division, *MNF OPORD 9501, Haiti Security Operations* (Port-Au-Prince, HT: Multinational Force Haiti, 1994), 4.
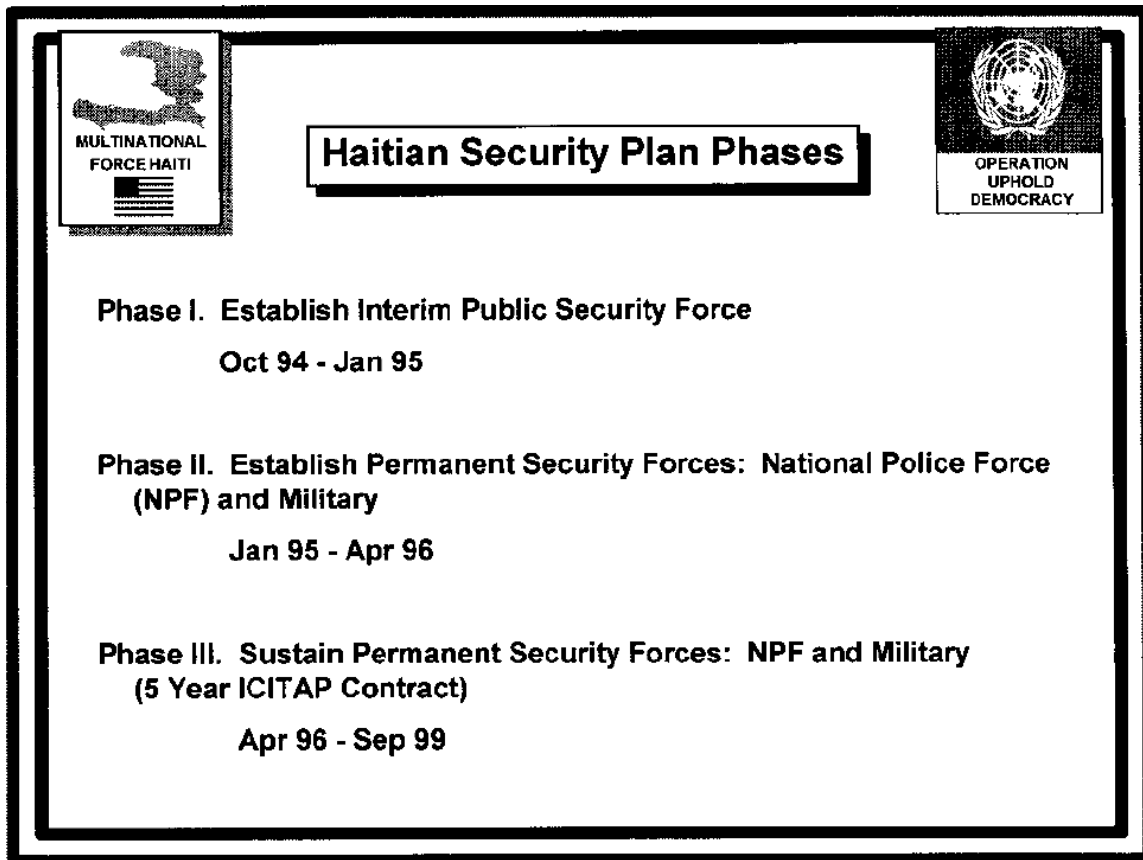
Figure 8. Haitian Security Plan Phases. US Army 10th Mountain Division, Operation Uphold Democracy - Haitian Security Strategy and Architecture, 1 January 1995, in the Joint Lessons Learned Information System, accessed 5 January 2018, https://www.jllis.mil/?doit=view&disp =cdrview&cdrid=36193, 5.

31 March 1995 to 29 February 1996: UNMIH

At the end of March, 25ID changed titles from the MNF to the UN Mission in Haiti (UNMIH) headquarters. The transition did not change US commitments. The handover did result in the disbanding of the IPM and their replacement by 870 UN civilian police.[106] The US military successfully transitioned responsibility to the international community. However, the largest portion of the forces, direction, and leadership remained American until early 1996.

Following the transition to UNMIH, the MP continued to perform non-standard missions to meet the policing requirement. The 504th MP Battalion took over 25th MP Battalion's

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[106] Perito, *Where is the Lone Ranger?: America's Search for a Postconflict Stability Force*, 112.

responsibility to command MP forces. In an innovative and non-doctrinal arrangement, the battalion received MP companies from India and Guatemala.[107] However, the MP did not control or oversee UNMIH policing. The UN task force considered creating a non-doctrinal "Joint Military Police Board" to address the lack of structure to coordinate "Policy and Procedures, Civil Police Coordination, Law Enforcement," and other tasks.[108] The MP in Haiti continued to innovate after the transition to an international mission.

Major General George Fisher, the 25ID, and JTF-190 commander, had a detailed understanding of MCPA in theory and practice. Fisher stated, "One of the crucial success stories was the orchestration of the Permanent Police plan. We played a key role in every aspect of the plan. Everything from recruitment and testing, to support for the Police Academy, determination for the fielding plan, to uniforms and leadership, the MNF was a guiding force for the new police."[109] Fisher also understood how the JTF had diffused police assistance responsibility during OUD. The general stated that "We expanded the capability of the Interim Public Security Force through the use of the International Police Monitors, Military Police, and Special Forces to get more than we ever should have from six days of training."[110] The 25ID commander visualized MCPA, his "major political challenge," as a "three legged stool" of "police reform, prison reform, and judicial reform."[111] The commander's model is a police assistance approach. Fisher understood the nature and extent of MCPA and developed a mature concept.

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[107] US Army 25th Military Police Battalion (Provisional), *25th Military Police Bn (Provisional) Historical Record of Operation Uphold Democracy*, 54.

[108] United Nations Mission in Haiti, *United Nations Mission in Haiti Training Program,* 5 March 1995, in the Joint Lessons Learned Information System, accessed 14 October 2017, https://www.jllis.mil /?doit=view&disp=cdrview&cdrid=928497_unmih_training_pt_2 11MAR, 45.

[109] US Atlantic Command, "Joint History Interview Transcript Multinational Force Haiti Major General George A. Fisher Commander, Multinational Force Haiti," 1-11.

[110] Ibid., 8.

[111] US Atlantic Command, "Joint History Interview Transcript Multinational Force Haiti Major General George A. Fisher Commander, Multinational Force Haiti," 8.

The Justice Challenge

All Three Legs Required

Police
- ☑ Law Enforcement
- ☑ Investigation
- ☑ Arrests

- ➤ IPSF=6 Days of Training
- ➤ No Equipment
- ➤ Police Academy Started

Courts
- ☑ Timely Processing
- ☑ Trial
- ☑ Bail System
- ☑ Administration of Dockets

- ➤ Courts Backlogged
- ➤ Cases Not Heard
- ➤ $ = Justice
- ➤ Insufficient Judges
- ➤ Judges Not Paid
- ➤ Legal Reform Needed

Prisons
- ☑ Humanitarian Conditions
- ☑ Efficient Administration
- ☑ Secure

- ➤ Human Rights Abuses
- ➤ No Food
- ➤ Deadly Sanitation
- ➤ Overcrowding / Riots
- ➤ 5% Serving a Sentence
- ➤ No Room for Crooks

UNCLASSIFIED

Figure 9. "The Justice Challenge" JTF-190 Commander's Visualization. US Army 25th Infantry Division, MNF - HAITI, JTF-190, Operation Uphold Democracy Briefing, 1 January 1995, in the Joint Lessons Learned Information System, accessed 31 October 2017, https://www.jllis.mil/?doit =view&disp=cdrview&cdrid=34705, 54.

After transitioning to a UN command, American military leaders responded to several demands for quicker police assistance. First, Aristide communicated that he wanted the United States to "accelerate" the training program.[112] American politicians had similar interests as a functioning HNP was a redeployment condition. At the same time, the GOH increased their training requirement from "thirty-five hundred to five thousand."[113] However, the ICITAP four-month course was already at capacity. USACOM considered trying to send police trainees to Fort

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[112] Larry Rohter, "Haiti Resists Increasing Police Force," *New York Times,* 18 June 1995, accessed 2 October 2017, http://www.nytimes.com/1995/06/18/world/haiti-resists-increasing-police-force.html.

[113] Perito, *Where is the Lone Ranger?: America's Search for a Postconflict Stability Force*, 111.

McClellan, Alabama, home of the MP Corps.[114] The US Army "expressed reservations" yet offered Fort Leonard Wood as a training site.[115] In a novel and unrepeated approach, two thousand police trainees traveled to a military base, in the continental United States, for police training. Though UNMIH was an international mission with federal agency support, the American military retained a role in police assistance till the end.

At the beginning of 1996, the USG had removed all US forces except one infantry brigade from the UNMIH force. The infantry brigade had an interest in police assistance because an effective police force was necessary to return home. The principle conditions the brigade used as "termination criteria" or the end of the military mission was the completion of the presidential election and inauguration, and "the precinct-by-precinct fielding of elements of the new Haitian National Police force."[116] American soldiers monitored the fielding of the HNP, yet did not produce a professional police force with connections to a functioning judicial and penitentiary system.

The end of UNMIH was the end of significant US military support, not international police assistance, which endured as an interagency and international problem. The UN would replace UNMIH with the United Nations Support Mission in Haiti. The new UN mission had a two-fold mandate to secure the population and assist "in the professionalization of the new Haitian National Police" or more simply conduct police assistance.[117] Three successive UN efforts would attempt a similar task; the United Nations Transition Mission in Haiti, the United Nations Civilian Police Mission in Haiti, United Nations Stabilization Mission in Haiti. ICITAP

[114] Center for Army Lessons Learned, *The Caribbean Campaign: Operations Sea Signal and UN Mission In Haiti (UNMIH) Working Chronology VII,* 14 September 1994, accessed 10 October 2017, https://www.jllis.mil/?doit=view&disp=cdrview&cdrid=35116, 10.

[115] Ibid.

[116] Kevin M. Benson and Christopher B. Thrash, "Declaring Victory: Planning Exit Strategies for Peace Operations," *Parameters*, (Autumn 1996): 69-80, accessed 20 October 2017, http://ssi.armywarcollege.edu/pubs/parameters/articles/96autumn/benson.htm.

[117] United Nations, *Press Briefing on Haiti*, 9 May 1996, accessed 3 January 2018, https://www.un.org/press/en/1996/19960509.haiti09.may.html.

would continue to be involved in police assistance for the next ten years. None of these police

assistance efforts would achieve more success than the temporary achievements of the MNF.[118]

When the military left, police assistance in Haiti became an international and federal agency

issue.

Uphold Democracy MCPA Participants' Lessons Observed

Following OUD, nearly every organization that conducted police assistance

acknowledged that their police assistance efforts were improvised, underdeveloped and that

responsibility for a better solution was another organization's responsibility. Twenty-Fifth

Infantry Division and USACOM highlighted the lack of a model for police assistance and placed

responsibility upon the interagency community. The MP community knew that there was a period

of change in military thinking and saw only minor tweaks to MP doctrine as necessary. SF

soldiers acknowledged that they had performed as police and did not modify doctrine. When

military and other federal agencies gathered to create shared lessons learned, the group found the

MP force structure wanting and instead placed greater responsibility on the interagency

community. The process of making meaning of the Haiti MCPA experience was similar to

MCPA execution. Each stakeholder acknowledged that MCPA was an issue and someone else's

responsibility.

After redeploying, 25ID acknowledged that MCPA was a problem which required

doctrinal model and interagency community action. In an observation titled "Military

Involvement in Training Host Nation Police," the division stated,

> During any period when conflict remains a possibility, the sole forces available for this
> mission are military. Once initial order is reestablished, it is possible to form a U.S. or
> third nation civilian force to assist this mission. However, the force will be ad hoc,
> require organization and mobilization from scratch, and be limited to tasks defined under
> very specific political arrangements and legal contracts. Frequent waivers and 'work

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[118] Timothy Donais, "Back to Square One: The Politics of Police Reform in Haiti," *Civil Wars* 7, no. 3 (2005): 270-287, accessed 21 January 2018, http://www.tandfonline.com/doi/abs/10.1080/ 13698280500424112?journalCode=fciv20, 271.

arounds' of Title 10 restrictions were required to employ military in actions necessary to build the Haitian security structure.[119]

The division also wrote that the model of police assistance employed was insufficient. Twenty-Fifth Infantry Division specifically identified a police assistance model as an operational requirement:

> **Internal Security Model**. No model for reestablishing the Haitian Internal Security Apparatus (HISA) existed. The key components of internal security are an effective, humane police force or constabulary, a fair and timely judicial process, and a humane and efficiently administered prison system. Despite a common experience in Grenada, Panama and El Salvador, U.S. government (USG) programs for restoring the HISA were largely developed from scratch and in isolation of each other.… Planners at the USG interagency level must develop a model for rebuilding an internal security apparatus.[120]

The 25ID understood that future divisions would likely perform MCPA without doctrine unless the US Army captured lessons learned. Further, the division advanced the notion that development of a police assistance model was a federal agency responsibility.

USACOM arrived at a similar conclusion, federal agencies should be responsible for developing a theoretical model for police assistance. The command self-published lessons learned echoed those of 25ID:

> OBSERVATION: No model or plan mutual to the entire country team existed in Haiti to coordinate the components essential to reestablishing the internal security apparatus of the country.… LESSON LEARNED: Effectively reestablishing internal security in a foreign country requires comprehensive and well coordinated programs for reform of prison, justice and police/constabulary systems before commencing internal intervention. RECOMMENDED ACTION: At the USG interagency level, use the experience of Granada, Panama, El Salvador and Haiti to develop a model for rebuilding the internal security apparatus of an occupied or host foreign country. Clearly define responsibilities, interaction required among agencies and a comprehensive blueprint for coordinating and synchronizing task accomplishment."[121]

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[119] US Army 25th Infantry Division, *Operation Uphold Democracy, 25th Infantry Division (Light) MNF Haiti and JTF 190 Observations 5 May 1995* (Schofield Barracks, HI: 25th Infantry Division, 1995), 4.

[120] Ibid., 3.

[121] US Atlantic Command, "50257-20594 Internal Security Model, JULLS," *Operation Uphold Democracy: US Forces in Haiti*, CD-ROM (Norfolk: VA, US Atlantic Command, 1997), 285.

The command was aware that MCPA, in Haiti, was a phenomenon that required a theoretical model and was not a singular anomaly. However, USACOM, the highest level of military command and most able to influence changes in joint doctrine, considered police assistance to be a non-military interagency concern.

The MP Corps understood the Haitian experience and instead choose to pursue how the corps fit into emerging thought on military operations other than war (MOOTW), which paradoxically did not include police assistance. Senior MP officers understood OUD MCPA in detail. Brigadier General David Foley, the MP Corps Commandant, stated at a conference that MP "provided the police presence in the cities, and the special operations forces provided that kind of capability out in the countryside."[122] An MP colonel at the same conference decried the shared responsibility for police assistance during OUD as "not a good example" because "it was done very ad hoc and planned very poorly."[123] The MP Corps understood what had happened and placed OUD within a larger context of the military's role MOOTW. From 1994-1995, MP published more articles on MOOTW in *Military Police*, the corps' professional journal, then in the preceding ten years. However, even articles focused on placing MP operations within MOOTW theory and historical practice avoid a single mention of MP assisting civil police forces.[124] The MP did not record in doctrine their innovative techniques to conduct partnered patrolling or co-opt the police stations and the national jail system. Following OUD, MP believed that their role in MCPA if repeated would be minor and focused on setting conditions for an interagency solution.

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[122] Oakley et al., *Policing the New World Disorder: Peace Operations and Public Security*, 300.

[123] Ibid., 299.

[124] Terrance W. Schneider and Ronald D. Reagan, "Military Theory and Operations Other Than War," *Military Police* (Spring 1994): 17-19, 17; Jim Miller "Operations Other Than War – A Historical Perspective," *Military Police* (Spring 1994): 4-5, 4.

SF acknowledged that OUD had created policing demands, yet did not update its doctrine. In March 1995, 3rd SF Group provided the US Army Center for Lessons Learned with briefing slides, which included titles such as "ODB/ODAs Became: De Facto Police," and "ODB/ODAs Became: Border Patrol."[125] Other special operations forces, within the US Army Special Operations Command also took notice of the role of SF in police assistance. The 385th Civil Affairs Brigade after action review noted the importance of SF in "police, judiciary and prison functions," or police assistance.[126] Despite acknowledging participation in law enforcement, SF believed law enforcement was not an SF mission and did not incorporate policing or police training into doctrine.

In May 1995, the National Defense University hosted a joint interagency workshop to develop lessons learned from OUD. The attendees represented the major stakeholders, except the MP. The 3rd SF Group commander personally represented SF. The DOD, USACOM, and 10MTN all provided representatives. ICITAP provided their Haiti director and the DOS an ambassador. The workshop arrived at two conclusions relevant to establishing a MCPA model. First, MP should have more responsibility and capability in future operations. The workshop published that:

> In Haiti we didn't need the military after the first week, we needed police. If we'd had more MPs at the beginning, or more police, we could have established security much more quickly. Because of the standing and reserve structure of the military, it will often be easier to meet short-term demands for police with trained military police than with ad hoc police forces. The International Police Monitors organized for the Haiti operation provided a successful solution, but a similar force may not be available in all circumstances. These considerations have implications for U.S. reserve and force structure.[127]

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[125] Kenneth Tovo, "Special Forces Mission Focus for the Future," *Special Warfare* 9, no. 4 (December 1996): 2-11, 11.

[126] US Army 358th Civil Affairs Brigade, "After Action Report, USACOM Operation Uphold/Maintain Democracy," *Operation Uphold Democracy: US Forces in Haiti*, CD-ROM (Norfolk: VA, US Atlantic Command, 1997), 8.

[127] Hayes and Wheatley, *Interagency and Political-Military Dimensions of Peace Operations: Haiti - A Case Study*, 25.

If a member of 16th MP Brigade had been present, perhaps the conference members would have adopted a more nuanced statement. The group also concluded that the interagency community should place greater focus on developing internal capacity and capability.[128] The joint interagency community did not generate a consensus on who was responsible for police assistance during stability operations.

From MCPA Crisis to a Paradigm

Based on the self-professed need by almost all participants for something different to be done following OUD MCPA, the lack of progress seems unexplainable. However, Thomas Kuhn, a physicist who taught the "history of science" at Harvard University, created a model for scientific development that explains the lack of American MCPA development.[129] The causal factor for little MCPA development is the absence of Kuhnian community of "concerned scientists," or in this case practitioners. Kuhn argued for a predictable "developmental pattern" from observation of phenomena to establishment of a scientific discipline.[130] A community of scientists coalesces around phenomena and creates a paradigm.[131] When the scientific community overserves phenomena unexplained by the paradigm, or "anomalies," there should be a period of crisis. During the crisis period, the community adopts a new paradigm. Military development follows the Kuhnian developmental pattern. The military modifies doctrine, which is a paradigmatic solution for warfare, in response to crisis events and anomalies. OUD MCPA was an "anomaly" for the US military 1990s. Further, the Haitian intervention occurred within a crisis period in which OOTW, low-intensity conflict, peace operations, and MCPA challenged the contemporary paradigm which emphasized major combat operations in Europe. The military had

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128 Hayes and Wheatley, *Interagency and Political-Military Dimensions of Peace Operations: Haiti - A Case Study*, 26.

129 Kuhn, *The Structure of Scientific Revolutions*, xi.

130 Ibid., 78.

131 Ibid., 94.

all the Kuhnian components necessary for a revolution except a community of concerned scientists. Other factors such as the military's cultural aversion to police work and legal constraints provide an incomplete explanation for the lack of MCPA development. Kuhn provided a model for the development of science which is an appropriate instrument to analyze the evolution of US MCPA.

Kuhn argues that scientific theories compete until one dominates, something that also occurs in military science. In the military science field, military leaders record the preeminent theory on how the organization conducts warfare with their nation's available resources as doctrine. Typically, a nation's senior officers, the preeminent military scientists, approve doctrine. Lieutenant Colonel Harold Høiback, Norwegian Army, highlighted the Kuhnian nature of doctrinal development in his book *Understanding Military Doctrine: A Multidisciplinary Approach*. Høiback wrote that "doctrine can be seen as a rigged Kuhnian paradigm, in the sense that an established authority has decided how certain aspects of a field of knowledge should be interpreted."[132] However, Kuhn never asserted that an adopted paradigm always provides more correct solutions than the supplanted paradigm.[133] Military doctrine just appears less "scientific" because the arbiters seem to base their decision on authority instead of consensus. In practice, the military science community has a role in selecting their paradigms for warfare. In a representative example, from 1996-1998, the US Army conducted four major unpublished revisions of *Field Manual (FM) 100-5: Operations* to gain inter-service consensus. The Training and Doctrine Command (TRADOC) commander rejected one draft mainly because "the service would never accept it."[134] In the American tradition, new doctrine has almost always been shopped around for consensus before publication. Military doctrine is a Kuhnian science. The adoption or omission of

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[132] Harald Høiback, *Understanding Military Doctrine: A Multidisciplinary Approach* (Abingdon, UK: Routledge, 2013), 99.

[133] Kuhn, *The Structure of Scientific Revolutions*, 157.

[134] Walter E. Kretchik, *U.S. Army Doctrine: From the American Revolution to the War on Terror* (Lawrence, KS: University Press of Kansas, 2011), 246.

MCPA in military doctrine is, therefore, evidence of acceptance or rejection by the body of military scientists.

Military practitioners conform to Kuhn's precepts when updating doctrine. Kuhn posited that "the sense of a malfunction" that can lead to a crisis is an essential element in the development of a new paradigm.[135] In a representative example, the 1973 Arab-Israeli War was the "crisis" event which led to the multiple updates of *FM 100-5: Operations,* a capstone manual. American military leaders viewed the 1973 Arab-Israeli War as a crisis event because of the increase in battlefield lethality and emergence of new weapons. General William DePuy, the first TRADOC commander, wrote that "if we had run the Arab Israeli tank battles through our models and simulators … the Israelis would have lost every battle."[136] The doctrine writers of *FM 100-5* wrote that the "war in the Middle East in 1973 might well portend the nature of modern battle" and crafted the manual to meet the challenge.[137] The new paradigm was "popularly known as active defense" although *FM 100-5* does not include the term.[138] Military leaders, contrary to popular notion that they are always preparing to fight the last war, observe, react, and generate new paradigms.

The 1990s was a "crisis period" in which the military repeatedly performed non-paradigmatic MCPA. Therefore, military doctrine writers should not have ignored OUD MCPA as a singular anomaly. In Operation Just Cause (1989-1990), US military forces had trained and vetted the police force while providing ongoing civil security. During UNISOM II (1993) in Somalia, a US MP officer had "single-handedly, put together a plan and worked with the old

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[135] Kuhn, *The Structure of Scientific Revolutions*, 92.

[136] William DePuy, *Selected Papers Of General William E. Depuy: First Commander, U.S. Army Training And Doctrine Commander, 1 July 1973*. ed. by Richard Swain (Fort Leavenworth, KS: Combat Studies Institute, US Army Command and General Staff College, 1994), 73.

[137] US Department of the Army, Field Manual (FM) 100-5, *Operations* (Washington, DC: Government Printing Office, 1976), 2-2.

[138] John L. Romjue, *From Active Defense to AirLand Battle: The Development of Army Doctrine, 1973-1982* (Fort Monroe, VA: US Army Training and Doctrine Command, 1984), iii.

police leadership to vet the former police, rebuild their academy, set up the training program, arranged for equipment and uniforms to be provided, and reestablished the prisons."[139] All of this notwithstanding, the US military then outsourced civil policing to coalition partners' civil police as in Bosnia and Herzegovina in 1998. The NATO "Multinational Specialized Unit" was a unique unit which combined international police forces "along military lines."[140] The 1990s was "a period when something was wrong" with how doctrine anticipated employment of military force.[141] OUD MCPA was more significant as the action occurred during a period in which the military had no model and adopted many ad hoc solutions.

The missing ingredient which was necessary to develop a more sophisticated understanding of how to build civil police forces with military elements was unified body of concerned service members before, during, and after OUD. Each military organization that had provided police assistance did so independently and with the belief that the task was a federal or international responsibility. MP, SF, and conventional forces remained focused on their doctrinal core competencies before and following OUD. Despite significant involvement, the military believed that police assistance was the responsibility of ICITAP, IPM, or UN civilian police. Without a military imperative, the officers assigned to conduct police assistance dealt with the problem in piecemeal.

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[139] Tom Clancy, Anthony C. Zinni, and Tony Koltz, *Battle Ready* (New York: Putnam's Sons, 2004), 262.

[140] North Atlantic Treaty Organization, *Multinational Specialized Unit* August 2004, https://www.nato.int/sfor/factsheet/msu/t040809a.htm

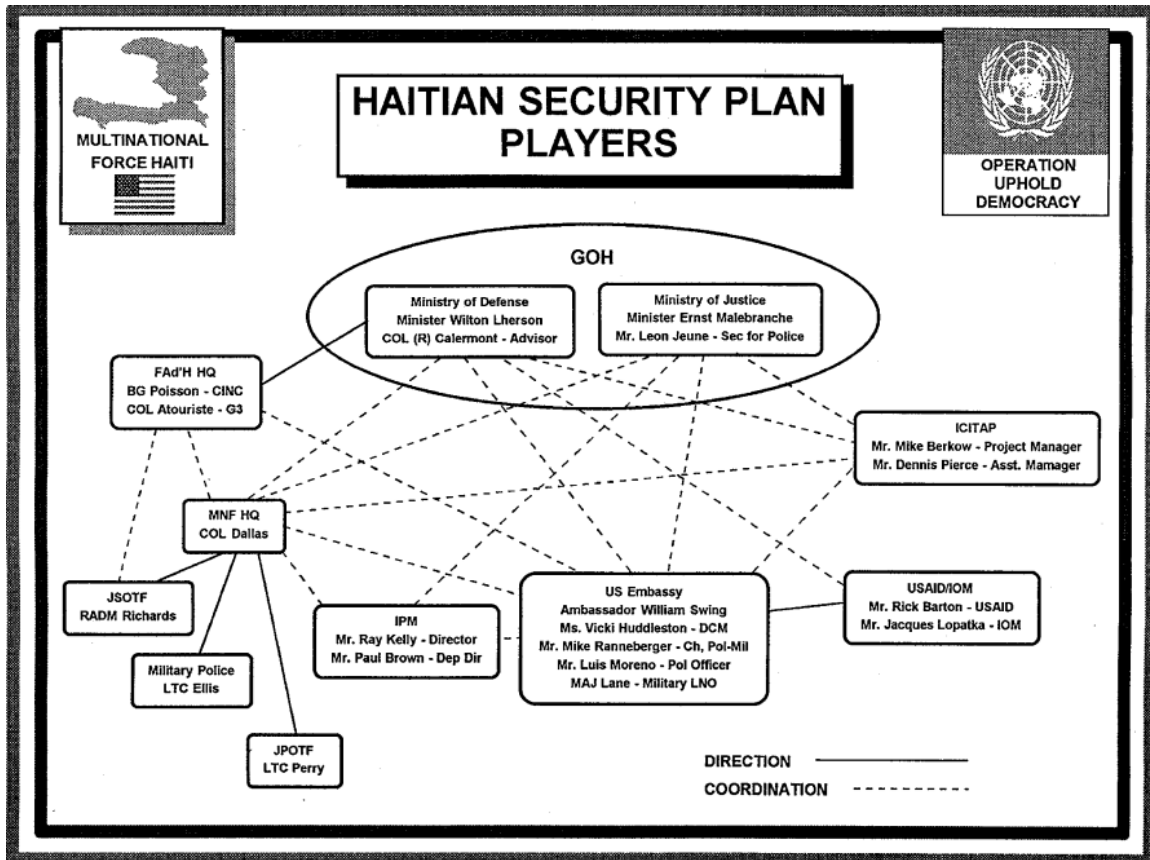[141] Kuhn, *The Structure of Scientific Revolutions*, 114.

Figure 10. Haiti Security Plan Players. US Army 10th Infantry Division, Operation Uphold Democracy - Haitian Security Strategy and Architecture, 1 January 1995, in the Joint Lessons Learned Information System, accessed 31 October 2017, https://www.jllis.mil/?doit=view&disp =cdrview&cdrid=36193, 4.

A legal prohibition on MCPA was only a minor impediment in the practice of MCPA and cannot be the cause of why MCPA did not generate serious interest. In the 1970s, Congress passed several laws which prohibited all federal agencies from allocating funds for "training or advice" to foreign police or prisons."[142] In the following years, the DOD curtailed police assistance. However, there was some "questionable" DOD police assistance through the 1970s.[143] By the 1990s, the Army and DOD published regulations which reinforced and clarified the

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[142] Title 22 Foreign Relations and Intercourse - Police training prohibition, *US Code* 4 (2006) § 2420.

[143] US Government Accountability Office, *Stopping U.S. Assistance to Foreign Police and Prisons* (Washington, DC: Government Printing Office, 1976), 31.

prohibition on police assistance."[144] However, the Congress did not legislate away MCPA. Congress had only prohibited DOD funding police assistance, not the practice. One service member deployed in Haiti stated that the legal prohibitions only served to create "work arounds."[145] Similar experiences had also occurred during Operation Just Cause.[146] Legislation was a contributory not a causal factor in the lack of MCPA doctrine.

Explanations that attribute the lack of MCPA development as cultural are also insufficient. The military does have an aversion to civil policing, which has discouraged the formation of a community of leaders, however, the military has repeatedly overcome a cultural tendency to avoid policing. The noted military sociologist, Morris Janowitz, summed up the military's longstanding cultural aversion to police work in his study, *The Professional Soldier*, noting "The military tends to think of police activities as less prestigious and less honorable tasks and therefore has always been reluctant to become involved in law enforcement issues. Within the military establishment, military police have a lower status than airborne or combat troops."[147] However, from 1901 to 1946, the military had a paradigm for police assistance. "In every military intervention the formula for establishment of stability was the same, namely, to restore order in the finances and to build up responsible armed forces that would preserve internal order and thus ensure an orderly constitutional political process. This latter part of the task was entrusted directly to the United States armed forces on the spot."[148] The MCPA model was to establish or coopt a constabulary led by US military officers and then transition control to local officers. Paradigmatic examples include the Philippines (1901), Cuba (1906), Haiti (1915), Dominican Republic (1916),

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[144] US Department of the Army, Army Regulation (AR) 12-5, *Joint Security Assistance Training (JSAT) Regulation* (Washington, DC: Government Printing Office, 1990), 11.

[145] US Army 25th Infantry Division, *Operation Uphold Democracy, 25th Infantry Division (Light) MNF Haiti and JTF 190 Observations 5 May 1995*, 4.

[146] Fishel, *The Fog of Peace: Planning and Executing the Restoration of Panama*, 69.

[147] Morris Janowitz, *The Professional Soldier: A Social and Political Portrait* (New York: Free Press, 1971), 419.

[148] Edwin Lieuwen, *Arms and Politics in Latin America* (New York: Praeger, 1961), 176.

Panama (1918), and Nicaragua (1926). In the Philippines, the US Army created a constabulary with American officers.[149] In Cuba, the US Army both "purged" and "professionalized the guard."[150] The Marine commander of the Dominican Republic made establishing a Dominican Constabulary Guard officered by Marines "one of his first objectives."[151] Similarly, the Haitian-American treaty stated that the Haitian government was obligated to create a constabulary "organized and officered by Americans."[152] During this same period when the military was so involved in establishing civil police forces, the US military remained focused on major combat operations.[153] During the occupation of Germany, 1946, the US Army created the "United States Constabulary," a division-sized element. The United States Constabulary trained to perform the partnered patrolling that US forces in Panama and Haiti did only in extremis. The American military has developed MCPA capability within a culture focused on major combat operations. Culture cannot be the only causal factor for why there was limited MCPA doctrinal development following OUD.

MCPA did not develop as a discipline from OUD because there was no community of "concerned scientists." In *The Structure of Scientific Revolutions,* Thomas Kuhn offered a model suitable for analyzing MCPA. The military science community adopts paradigmatic doctrine and responds to "crisis." The 1990s were a Kuhnian "crisis period" in which OOTW, LIC, peace operations, and MCPA challenged the Army's paradigm. The lessons learned from the OUD MCPA could have been a part of new paradigm. The military had all the ingredients for a

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[149] Dean C. Worcester and Joseph Ralston Hayden, *The Philippines, Past and Present* (New York: Macmillan, 1930), 381.

[150] Lieuwen, *Arms and Politics in Latin America*, 178.

[151] Kevin Dougherty and Robert J. Pauly, *American Nation-Building: Case Studies from Reconstruction to Afghanistan* (Jefferson, NC: McFarland, 2017), 53.

[152] Lester D. Langley, *The United States and the Caribbean in the Twentieth Century* (Athens: University of Georgia Press, 1982), 69.

[153] Michael Bonura, *Under the Shadow of Napoleon: French Influence on the American Way of Warfare from Independence to the Eve of World War II* (New York: NYU Press, 2012), 179.

scientific revolution except a community of concerned scientists. Other potential impeding factors such as a cultural aversion to police work and legal constraints do not provide a compelling explanation as the Army has repeatedly overcome both challenges. Kuhn provided a model for the development of science which provides the most compelling argument why the military did not develop MCPA doctrine after a police assistance crisis.

Conclusion

The military did not develop a police assistance model based on lessons learned in Haiti because leaders diffused responsibility internally amongst the force while stating that the true responsible parties were interagency or international. The overall military-led police assistance effort entailed significant effort in planning and execution. Despite leading the planning for the IPM, the military approached most solutions on an ad hoc basis. When the military did not conduct police assistance directly, the military provided sustainment and planning support. From the beginning to until the end of UNMIH, the military believed that the responsible party for police assistance was either another federal department or an international organization. The military did not develop a more sophisticated understanding of police assistance from OUD, despite good cause to adapt, because no group of military officers gathered around the problem of how a military builds a police force.

During OUD, the military developed numerous MCPA innovations to address the fact that there was no established doctrine. The creation of an independent, armed group of international civilian police experts, the IPM, was a novel solution to keep the military out of building police forces. The 16th MP Brigade formed an effective system to coopt the police stations and prisons. SF in the countryside provided police services ranging from investigative work to assuring humanitarian conditions in the prisons. The JTF-190 commander articulated a model for police assistance which captures the interrelated nature of reform in police, judicial, and prison systems. The US Army did not record the significant OUD police assistance innovations in doctrine.

The authors of the commonly accepted narrative for military-led police assistance in Haiti did not appreciate the extent of the military effort. Charges that the military is a "blunt instrument" in conducting police assistance appear to have forgotten how creative military forces can be when put to a task. [154] Establishing the IPM as a non-military armed group yet supported by the military was a novel solution for a complex problem. Synchronizing an immediate rapid training program to provide new police immediately in Cap Haïtien was similarly deft. Focusing on the primacy of civilian expert solutions has overshadowed how un-expert US military forces provided significant effort to build two national police forces.

Arguments that the US should develop a constabulary force miss the potential to expand policing capability with the forces the US possesses. Military forces in OUD conducted police assistance with no doctrinal guidance. Military forces could have conducted police assistance more efficiently if the US Army recorded the novel MCPA practices adopted in extremis in doctrine. The USG is unlikely to devote significant resources building a constabulary nation-building force. Research on the need for American constabulary forces is likely a dead end. If OUD is a relevant guide, making the existing force more capable of executing police assistance through better doctrine and models is a more productive effort.

Despite significant MCPA in Haiti, the American military did not develop more sophisticated doctrine because the government and military established a system which assigned formal responsibility to federal agencies and the international community. However, the formal establishment of responsibility to non-military organizations only served to prevent military officers from coalescing around the real problem of providing civil security through functioning police, petitionary, and judicial systems. Since the USG did not intend to leave without a functioning state, which necessitates internal policing, military involvement in policing is almost inevitable. On the ground, military forces improvised ad hoc solutions. Unfortunately, since no

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[154] Oakley et al., *Policing the New World Disorder: Peace Operations and Public Security*, 6.

organization believed that they were responsible for civil policing their innovations largely went

unrecognized. If preventing ad hoc civil policing solutions is important, coalescing military

responsibility and authority around developing the police system is a necessity.

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