

## **Building Police Forces in a Post-Conflict Environment**

Testimony for the Senate Foreign Relations Committee

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### **Introduction**

Thank you very much for the opportunity to appear here today. It is a pleasure to return to this Committee to discuss my experiences in dealing with the problem of building police and security structures in post conflict environments.

I have been involved in the training of indigenous military, police, civil defense and constabulary forces for the US government for over twenty two years, as a US Army Special Forces officer, a State Department diplomat, and United Nations official.

My current duties at NYPD have furthered my understanding of training police officers, although this training is focused almost exclusively on counter-terrorism. New York City has been targeted on multiple occasions by terrorists, but we are certainly not in a post conflict scenario as was usually the case when I have worked with police forces. New York is bouncing back from the terrible 9-11 attacks and despite an enormous effort to fight terrorism, the City has continued to reduce crime by about 11% over the past two years under the leadership of Mayor Michael Bloomberg and Police Commissioner Raymond Kelly.

In today's remarks, I will draw on my experience previous to NYPD, which includes service in post conflict zones on four continents – from Central America, the Caribbean, and the Andes, to the Balkans, Africa, and East Asia. I have worked with American-only operations, American-led coalitions, UN civilian police and to a lesser extent the European Union and OSCE efforts. Depending on how you count them, I have participated in about a dozen police training experiences in 22 years.

I am sure Iraq is unique in many respects, but I am equally sure that the principles that I have encountered in each of these twelve or so cases are equally valid there. I hope my testimony adds to the discussion on how this enormous task of stabilizing Iraq can be best accomplished by our nation and its allies.

### **Defining the Problem**

In each of the post conflict scenarios in which I worked, the local situation varied dramatically. Each situation had its own unique challenges based on the nature of the conflict, the degree of ongoing violence, the status of political reconciliation and the local

tradition of law enforcement. The international response also varied dramatically -- from the well prepared and financed (clearly the minority of cases) to the more normal haphazard and “shoe string” financing of the police and justice programs.

Despite the unique variables of each case there were constants, in fact all too familiar constants, that faced us every time:

- Law and order had completely broken down; there were no viable state institutions
- Local police had stopped to function and were overtaken by military and paramilitary forces
- There was no functioning judicial or penal system
- There was minimal or no functioning civil society, such as a press or civic organizations
- The country was bankrupt with no resources to hire and retain public workers including police

Three consistent complaints were heard concerning the response to this challenge, most often coming from the military forces that were forced to move into the security vacuum created by broken police forces.

- The training of the new force started too late and proceeded too slowly, emboldening trouble-making groups
- There were not enough resources to train, equip or pay the police
- There was a shortage of expertise in developing leaders and specialists
- There was no judicial system to handle criminals and other trouble makers if apprehended by military or police units

There are two other important issues in this equation that I will address later in my remarks, the so called security gap and political legitimacy. For now, I will turn to the basics of building a police force.

### **Six Steps in Building a Police Force**

For the purposes of this discussion I have listed six key components in building a police force. There could arguably be more, but I think these six capture the most essential elements. They are: vetting the old force, shaping the new force, training recruits, training leaders and specialists, monitoring the force, and last but not least, policing the police.

Let me make a few observations about each of these components:

## Vetting the Force

Building a policed force from scratch is not easy; in fact, it is practically impossible. It takes time. In most post conflict situations, those responsible for building a new force try first to screen out the best from the previous force and build upon their experience. The problem is in identifying who is acceptable. It is a challenge to build a whole new policing culture. Retaining too many from the previous regime risks infecting the new force with old practices of corruption, abuse of authority, or politicization. A second challenge is whether or not to include paramilitary or other military groups that were part of the conflict. In the short term it may pay to take on some of these people and reduce their threat to the stabilization process; but they also must be carefully vetted and be of sufficient numbers to dominate the new police force.

The challenge is to have a vetting process that includes trusted locals, coupled with intelligence information gathered before and after the vetting process. It is essential to weed out the problem officers. It is a difficult and time consuming process, but is absolutely vital for success.

## Shaping the New Force;

In most cases in which I have served the previous security forces were ineffective, too large, under-paid and often corrupt. The goal is to create a smaller police force that does not bankrupt the national treasury and is paid sufficiently so that its members are not tempted to engage in street-level corruption to make up for low or non-existent pay.

The host government is normally broke – and the International Financial Institutions are reluctant to pay salaries. However, funding must be found, at least during the initial phases, from international donors to pay police. It must be factored into the beginning of any planning for an intervention.

In shaping the force, it is important to have political, ethnic or religious groups represented appropriately. In most cases, it makes sense to keep the old traditions of the police and justice systems (for instance did it derive from colonial structures from the British, French or Italian systems?). This action needs to be coordinated with coalition partners that may bring different traditions to the process.

## Training the Force

Training new recruits is an important but fairly straight forward challenge. We have many people who know how to do this – and they do it fairly well. The Department of Justice International Criminal Investigative Training Assistance Program (or ICITAP as it is known) has been involved in establishing police academies in various countries around the world. I have visited several of these and they are relatively effective in turning out new recruits. Generally, training should take at least sixteen weeks to get it right, and should include time on the street to monitor recruits as they develop their law

enforcement skills. The challenge here is to get it up and running within the first months of an intervention so that new cops are being turned out within months. This takes advance planning and resources.

### Training Leaders and Specialists

More difficult than training recruits is training “bosses” as they are known in the NYPD vernacular. You can not substitute for years of street experience in the classroom. However, leaders can be identified and put in accelerated programs to develop their capacities and mentor their development. This requires exceptional trainers and monitors for senior level personnel. However, as is the case in the specialist areas, like forensic science and special investigations, there is always a premium on recruiting the quality of people necessary to do this job. To do it well, you need long term police experience and the willingness and ability to translate that experience in a foreign land. That is not easy, but again, is essential to the task.

### Monitoring the Force

New police need to be monitored to ensure that the training they received in the Academy is practiced on the street. That is the primary job of a monitoring force. Relatively speaking, this is also a task that can be accomplished. The US and the international community have built up quite a bit of experience in the past ten years monitoring police forces. The quality of the monitoring effort, however, will often depend on the leadership of its force. Without strong supervision, these cops have a tendency to get in trouble with prostitution, black marketing, or other abuses. If well supervised, this is a task that can be done well.

### Policing the Police

Let me take a quick moment to discuss another important and often overlooked aspect of these operations that was taught to me in the mid 1990s by Kris Kriskovich. Kris was a veteran of the 5<sup>th</sup> Special Forces Group in Viet Nam and retired career FBI agent and the founding father of ICITAP. Kris underscored to me the importance of policing the police – of building strong independent and effective internal affairs structures into a police force from the beginning to ensure that the police uphold the rule of law that they are attempting to re-impose on the society they serve. Unfortunately, Kris died in a helicopter crash north of Sarajevo, Bosnia in September 1997; doing what he loved – training police. But his lesson should be remembered – police the police.

### **Other Key Factors: Political Legitimacy, Military Back-up, and Time**

*Political Legitimacy:* Without political legitimacy, training a local police force will not guarantee stability. It still should be done anyway, but it must be understood that a newly trained, lightly armed police force will not be able to stop a civil war or prevent massive civil unrest in a tense post conflict environment.

In Somalia, the US intervention force commanded by LTG Johnston had begun training the remnants of a fairly well respected Somali police during the initial US intervention phase. This was done, completely “under the radar” of Washington by a contingent of US Army MPs, and particularly a very creative LTC named Spataro. The military took on this function not because it wanted to, but because they had to, it was deemed essential by the commanders. The training and assistance worked to a degree; the old police was brought out, their stations re-opened and they assisted the MNF with traffic control and petty crime. Ultimately, the police force proved irrelevant in the face of an ongoing civil war of heavily armed militias. But for a short period of relative stability, they were appreciated by the US military and the local population both.

*The Security Gap:* As in Somalia, in the Balkans, local police forces were not able to stand up to heavily armed militias or large rampaging civilian mobs, backed by heavily armed thugs. Even after the Dayton agreement, the ethnic cleansing began again in Sarajevo, but in this case it was the Serbs (and to a lesser extent Croats) who were being run out of their traditional neighborhoods (or leaving and burning on their own volition) in the previously ethnically diverse and cosmopolitan city. This led to a long and continuing discussion of the security gap. The security gap is the security challenges that fall between the traditional military and police missions. These threats, which were managed mob violence, were too big for police to handle – and too “civilian” for military force to handle without the risk of massive civilian casualties.

There is no silver bullet for these challenges, but what has proved to work best in the Balkans and other locations is a combination of military units, a paramilitary police such as French-style gendarmerie or Italian-style Carabinieri – coupled with regular local police.

*Time and Money:* In Haiti, the police got off to a relatively good start but were eventually starved for resources (even in this better case scenario there was plenty of complaining about the slowness of the program). The political process has also come apart, but even before that, a once promising police force was deteriorating and beginning to look more like its predecessor force than the new modern force contemplated by its trainers after the US-led intervention in 1994.

## **Conclusions**

I have been involved in these post conflict security operations for over 22 years, but during this period the US government has denied that this is an enduring task that will serve our national interest. Each case is seen as *sui generis* and limited in scope. I can assure you that we will be doing these missions for the next 22 years and probably poorly, relearning the lessons over again each time. It is time to prepare the US Government to conduct post conflict missions – and to do it correctly.

What is needed:

*Define the task and assign responsibility*

- Admit that the US Government has been performing this mission for years and will continue to need to do it for the foreseeable future. We have been in denial too long; we need to build the institutions to conduct these operations effectively, particularly with police training and development.

*Create a unified Bureau to manage police training*

- Create a unified law enforcement training and assistance agency within the State Department. It should include planning and doctrinal development staff. Police, justice and penal programs should be under one roof; this would include ICITAP and other administration of justice programs.

*Create an International Police Academy in the US*

- Training for international police is required for counter-terrorism, counter-narcotics, and peacekeeping. A new federal institution could provide a home for federal police trainers, and act as a basis for creating new police academies in post-conflict scenarios. Police training could be conducted for counter-terrorism and counter-narcotics officials in the same institution – another clear national interest that I proposed when I was Ambassador at Large for Counter Terrorism at the State Department.

*Create a standing national police force for contingency operations*

- Initially, this force could be no more than a few hundred full time employees that agree to be assigned long term overseas in post-conflict environments. A smaller number of these officers could be assigned as instructors and planners at the stateside Academy or within the policy bureau at State between missions. Their most important value would be in the planning and initial start-up of new missions.

*Plan early and often*

- Write contingency plans and exercise often. Start planning during the peace negotiations. If you start after they are completed, you will be late by at least one year. If the Pentagon has a plan or starts planning, do it concurrently – don't let them get a head of you.

*Properly fund well before and through a deployment*

- These operations need consistent funding streams to work effectively, from well prior to a mission being launched through to its completion and after action review.

*Stay with the program for at least five years*

- Ideally, it takes a generation to train and gain experience and to rebuild what amounts to a social contract between police and the community. Five to ten years engagement, at a minimum, is required.

*Build international partners*

- It is not feasible to effectively conduct these operations unilaterally. The USG should work with other partners on a bilateral and multilateral basis to establish a division of labor and share the burden of financing these operations.
- Police monitors and basic training can be done by many partners (including the UN, the EU and the OSCE). The disciplined supervisory work and special training should come from well established, democratic and professional police forces that have the strength and credibility to pull off that important task.

All of these recommendations will help build a long term capacity to more effectively conduct post conflict stability operations. However, I would also argue that they should be implemented immediately for Iraq as well. I suspect we will be in Iraq a long time, and these measures will immediately begin to strengthen a vital component of the equation – the training and mentoring of local police forces.

Thank you.