

Chapter 8

Law and Order

This chapter addresses the L&O function across the full spectrum of military operations. Refer to *Appendix K* for more information about civil disturbance control measures.

OVERVIEW

8-1. L&O operations consist of those measures necessary to enforce laws, directives, and punitive regulations; conduct criminal investigations; and control populations and resources that ensure commanders the existence of a lawful and orderly environment. MP enforce laws and appropriate commander directives. They maintain liaison and coordinate joint L&O operations with other DOD police organizations; HN military and civilian authorities; multinational police organizations; and US federal, state, and local police agencies. A coordinated law enforcement effort removes the conditions and opportunities that promote crime, thereby preventing diversion of military resources and maintaining military discipline.

8-2. The evolving criminal threat affects military operations and requires commanders to minimize that threat to preclude negative impacts on forces, resources, and operations. The importance of the criminal threat to military operations is a current, as well as future reality. Nationalist ideologies, the instability of a government to effectively govern and control its population, and the breakdown of government infrastructures will foster the

linkage between criminal organizations and the government and its armed forces.

8-3. MP provide the capability to train foreign MP or assist in the reorganize of indigenous constabulary forces as part of stability and support post conflict operations. Under the provisions of and exceptions to *Section 660 of the Foreign Assistance Act*, MP provide initial assistance and training to foreign military and civilian police forces or assist in the creation of these forces where national authority has broken down. Additionally, MP forces provides short-term emergency L&O capabilities until the foreign military and civilian forces are functional.

8-4. MP and the USACIDC are the primary collectors of police information and criminal intelligence. They gather information through contacts made with the local populace and from conducting combined and joint patrols with HN military and civilian police agencies. MP and CID conduct field interviews and gather police information from surveillance operations. They investigate serious offenses and maintain a close liaison with the HN or allied civilian and military police agencies. This police information and criminal intelligence is collected, analyzed, and shared with the intelligence community and contributes to the police information assessment process (PIAP).

8-5. The police activities that support L&O operations include the following:

- Criminal investigations.
- Police information collection and dissemination of the information.
- Traffic accident investigations.
- Antiterrorism force protection support.
- Crowd control.
- US customs operations.
- Use of MWDs.

8-6. The enforcement of military laws, orders, and regulations is a command responsibility, as well as an MP responsibility. Each commander is responsible for maintaining order and discipline in the unit. To support commanders, the PM plans the use of MP assets to help enforce military laws, orders, and regulations.

8-7. MP performing L&O operations enhance and extend the tactical commander's C² by—

- Aiding commanders in maintaining combat strength.
- Helping prevent diversion of military resources.
- Suppressing opportunities for criminal behavior by US and non-US personnel or elements.
- Assisting and protecting military forces.
- Helping ensure the discipline of US forces.
- Assisting intelligence organizations in obtaining a true tactical intelligence picture by providing criminal and operational data and intelligence.

LAW AND ORDER AUGMENTATION DETACHMENT

8-8. The technical and supervisory expertise to support L&O operations in a mature theater is provided by L&O teams organized under an L&O augmentation detachment. The L&O teams are designed to give the commander the additional flexibility and capability in any environment to conduct a wide range of force protection mission requirements, to include split-based operations. This enables the supported commander to perform needed L&O missions while other MP assets are conducting MMS, AS, or I/R.

8-9. When these teams are not available or have not arrived in theater, L&O missions are prioritized with other MP combat support missions and are usually not full-scale dedicated operations. The theater commander

determines when he can afford to dedicate MP assets to L&O operations.

8-10. A complete 45-person L&O augmentation detachment includes a detachment C² team, an operations team, a desk team, five MP investigation (MPI) teams, five traffic accident investigation (TAI) teams, and two force protection teams. Refer to *Figure 8-1*.

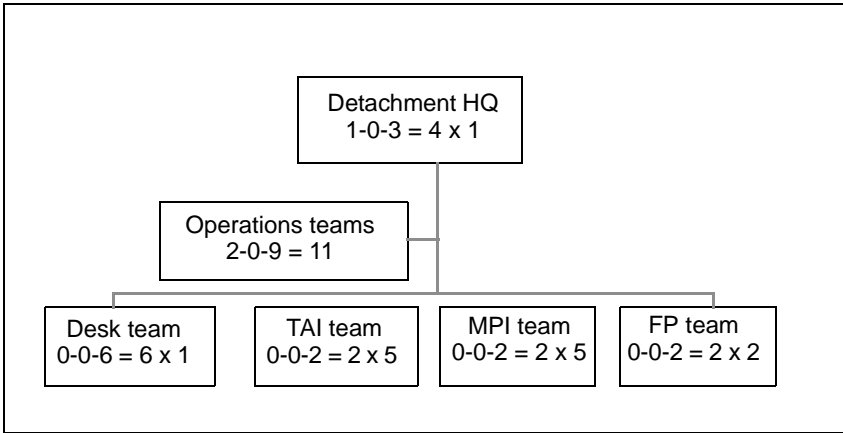


Figure 8-1. L&O Augmentation Detachment

8-11. When deployed, detachment and teams are under the overall operational C² of the PM deployed for the operation. Those teams may be attached to MP battalions and companies, as the situation requires. In war, the L&O augmentation detachment is assigned to an MP brigade and further attached to MP battalions and division MP companies as required. The L&O augmentation detachment consists of the following teams:

- Operations. The operations team provides C²; supervises traffic, force protection, and investigative operations; and provides an

evidence custodian to ensure that the chain of custody for evidence is maintained.

- **Desk.** A desk team establishes and operates the MP desk and coordinates law enforcement patrol activity.
- **MPI.** MPI teams provide the technical personnel to investigate crimes that do not fall within the investigative purview of the CID and conduct surveillance operations. Each MPI team consists of two MP with additional skill identifier (ASI) V5. These teams have no organic vehicles or communications capabilities.
- **TAI.** TAI teams provide the technical personnel to conduct TAIs. Based on operational requirements, TAI teams augment PM and MP organizations to ensure unimpeded movement and regulation enforcement on the MSRs. Each TAI team consists of two MP with ASI Q9.
- **Force protection.** Force protection teams provide technical personnel to assist in the safeguarding of personnel and equipment according to the command policies and field operating procedures. The role of the force protection team is to assist, inspect, and educate. Force protection teams provide expertise for safeguarding personnel and PRC for refugees, displaced persons, and civil disturbance operations. They enhance the unit's ability to ensure that soldiers and units are aware of appropriate personal security safeguards. Additionally, force protection teams assist customs operations teams in the establishment of sterile areas. Each force protection team consists of MP NCOs.

8-12. MP brigade commanders employ L&O augmentation teams based on the METT-TC to support the US forces operating within the brigade AO. While the number of teams is based on the troop population

supported, whenever possible the team AO should coincide with the MP battalion and the division AO. The detachment HQ, operations, desk, and force protection teams should be collocated with the supported battalion HQ or division PM. If transportation requirements for these teams exceed the capabilities of the operations team, the supported unit must provide transport.

COMPANY AND PLATOON LEVEL LAW AND ORDER OPERATIONS

8-13. As previously stated, L&O augmentation teams may not arrive until a theater matures and L&O operations become the priority. Corps and division MP units must be prepared to conduct full-scale L&O missions. When ordered to establish L&O operations, the company commander determines mission requirements that include the following:

- Special equipment (vehicles, communications, and barricades or traffic cones).
- Specialized personnel support (a linguist, HN police, and PSYOPS or civil affairs personnel).
- CCIR.
- Threat assessments from MI and the CID.

8-14. The commander and platoon leaders conduct a map reconnaissance of the AO and determine the platoon areas of responsibility. When the tactical situation allows and adequate structures are available, the commander selects a building that is centrally located within the AO to establish the MP operations center. The facility should, at a minimum, offer areas for the following:

- An MP station desk.
- Offenders processing.
- Good radio transmissions.
- Arms, evidence, and property storage.
- Suspect detainment.

- Latrine facilities.

8-15. The company operations section operates the MP operations center and organizes it into MP sections that include—

- MP operations.
- Administration.
- Force protection.
- An MP desk.
- MP investigations.
- TAI.
- MWDs (if attached or assigned).
- Customs (if attached or assigned).

8-16. MP that are school-trained and have been awarded an ASI should be in charge of the appropriate section.

MILITARY POLICE OPERATIONS AND ADMINISTRATION OPERATIONS

8-17. The company operations sergeant is in charge of the day-to-day activities of the MP operations center. He instructs platoons regarding patrol patterns and distribution and coordinates for specialized equipment and personnel. He reviews all MP reports and the MP blotter. The center maintains close liaison with HN and allied military and civilian police agencies. The operations sergeant directs and supervises the administration section and provides guidance to other sections.

FORCE PROTECTION

8-18. The company physical security NCO (ASI H3) coordinates and directs the efforts of force protection for the commander. The force protection section is responsible for reviewing the security measures of all critical facilities and assets within the AO. The force

protection NCO reviews points designated as critical by the senior commander and identifies criminal and operational threats. He develops a draft mission-essential or vulnerable area (MEVA) list and submits the list to higher HQ for approval. Once the list is approved, he conducts vulnerability assessments of points on the MEVA list. He applies risk analysis procedures according to *AR 190-51*, *AR 190-11*, and *DA Pamphlet 190-51* and ensures that appropriate army antiterrorism force protection standards are met according to *AR 525-13*. He reassesses assets for addition to or deletion from the MEVA list or changes in priority. The role of the physical security NCO is to assist, inspect, and advise commanders on force protection measures.

MILITARY POLICE DESK

8-19. The MP desk coordinates MP patrol activity, documents those activities, and reviews incident reports to ensure accuracy and completeness. The MP desk is also responsible for referring incidents to the appropriate investigative agency for further action.

8-20. The MP desk operates continuously during the conduct of L&O operations. It should be located as near as possible to the center of the L&O operational area, and have communications throughout the AO. When possible, existing facilities should be used for the MP station, but requirements for communications, transportation, and proximity to troops and facilities may rule out existing structures. The MP desk should be located within a reasonable distance of the HN police desk during stability, support, or other operations involving interaction with HN authorities. It may be necessary to establish substations if the area covered or the volume of activity is large. The MP station should have, at a minimum, the following:

- Areas and lighting for preparing reports and other paperwork.

- Communications with the MP elements performing L&O and the command and populace that the L&O operations are supporting.
- Detention areas where persons can be secured by a guard and/or physical constraints, such as a detention cell.
- Latrine facilities.

8-21. MP establish joint service, multiagency, or multinational operations when appropriate for the populace being provided L&O support or as directed. The PM establishes agreements before initiating joint operations to prevent conflicts in jurisdiction, documentation, and communication. Those agreements may be informal at first but should be formalized as soon as the situation permits. Refer to *FM 19-10* for more information about operating a MP desk.

MILITARY POLICE INVESTIGATIONS

8-22. Crimes occurring within an AO may require an in-depth investigation, depending on the seriousness of the offense and the availability of investigative personnel. Commanders report minor offenses within the unit area to the MP for statistical purposes, but may still investigate the offense themselves.

8-23. MPI investigators handle the most criminal offenses not investigated by CID or the unit commander. MPI normally investigate those offenses cited in *AR 190-30*. The commander ensures that only school trained (ASI V5) personnel are assigned to the MPI section to investigate crimes. Outside continental US (OCONUS) areas, MPI investigate off-post incidents according to SOFA and/or the US and HN agreements.

8-24. CID investigates serious offenses. It has elements in support of all echelons down to division level. CID operates across the full spectrum of army operations,

with an emphasis on logistics security (LOGSEC) during wartime operations.

8-25. When MPI has purview to investigate a crime, they use the following investigation measures:

- Take control of the crime scene, ensuring that the crime scene is protected and secure.
- Identify the personnel involved, both suspects and witnesses.
- Identify the type of offense or offenses that have been committed.
- Process the crime scene using notes, sketches, and photographs.
- Collect and secure the physical evidence.

8-26. Once the investigator has processed the crime scene, he pursues leads and conducts investigation activities that include—

- Interviewing victims, suspects, subjects, and witnesses, and obtaining written statements from them.
- Preparing case documents and the required reports.
- Collecting related documents necessary to support the investigation.
- Coordinating with the Staff Judge Advocate (SJA).
- Submitting the final draft report for review by the MPI supervisor.

8-27. The commander appoints an evidence custodian to maintain evidence obtained during criminal investigations. The evidence custodian coordinates the needed laboratory examinations and ensures the proper disposition of evidence. It may be necessary to coordinate with the CID for this support.

8-28. Joint investigative activities, such as drug or black market suppression teams, may involve investigators

from CID, MPI, or other US services or agencies. Such operations may require close liaison and cooperation with HN or allied civil or military agencies.

8-29. Refer to *FM 19-20* for more information about criminal investigation techniques and procedures.

TRAFFIC ACCIDENT AND INVESTIGATION

8-30. MP help reduce nonbattle casualties and the loss of equipment by ensuring that vehicles are operated according to regulations and determining the cause of accidents. Traffic enforcement supports the commander's intent in HNs by reducing the likelihood that military traffic will be seen as a threat to the native population. Thorough investigations of traffic accidents can—

- Identify the personal, environmental, and equipment factors that caused or contributed to the accident.
- Document the facts of the incident for future criminal or civil actions.

8-31. Traffic enforcement measures vary according to the operational and political environment. Those measures may include the following:

- Operator license and dispatch checks.
- Safety inspection checkpoints.
- Vehicle load and route restrictions enforcement.
- Speed control measures.

8-32. Traffic accidents are investigated on the scene whenever the tactical situation permits. MP investigate traffic accidents involving military personnel or vehicles within their AO. When the HN or other authorities have primary responsibility for an accident investigation involving US forces or equipment, MP conduct a concurrent investigation.

8-33. The first MP that responds to a traffic accident is responsible for securing and protecting the accident scene. When necessary, they administer medical attention to the injured persons and implement traffic control measures. MP safeguard classified materials and take the appropriate action to identify and contain hazardous materials at the scene.

8-34. The TAI team takes control of the accident scene when it arrives. Whenever possible a school-trained (ASI Q-9) traffic accident investigator processes the accident scene.

8-35. Once the TAI team receives a briefing from the senior person present, it takes the following steps to investigate the accident:

- Collect physical evidence to include evidence of drug or alcohol involvement.
- Photograph the scene.
- Interview victims and witnesses.

8-36. Once the TAI team has the necessary information, it clears the scene. To do this it ensures that the vehicles and debris are removed and reestablishes traffic flow. The TAI team then prepares a final report and submits it to the proper authority.

8-37. Accidents involving fatalities or life-threatening injuries require a serious incident report (SIR) according to *AR 190-40*.

8-38. Refer to *FM 19-25* for more information about traffic enforcement techniques and conducting TAIs.

MILITARY WORKING DOGS

8-39. MWD teams further enhance L&O and customs operations with capabilities to detect explosive devices and residue and controlled substances, and detect, track, control, and apprehend personnel.

8-40. Mission support requirements determine the number of functional MWD teams that make up a wartime, mission-oriented MWD team. These mission-oriented MWD teams are assigned to the PM. MWD teams conducting explosive or narcotic detection are unable to provide security for themselves and require security by the supporting unit.

8-41. Explosive, narcotics, and patrol teams each consist of three handlers and three working dogs. This allows each team to provide 24-hour support for a mission that requires one MWD or up to three short-duration missions. There is also a kennel master team, which provides technical supervision and is responsible for establishing kennel operations.

8-42. The explosive or patrol team provides the capability to detect explosive devices or residue in support of personal protection, MOUT, health and welfare, crime scene, and customs operations. When not required for explosive detection, this team functions as a patrol team.

8-43. The narcotic and patrol team provides the capability to detect controlled substances in support of the crime scene, health and welfare, and customs operations. When not required for narcotics detection, the team functions as a patrol team. The patrol team provides the capability to search for, track, detect, and control personnel and augment security in support of personal protection, MOUT, criminal apprehension, force protection, EPW, refugee or displaced person, and crowd control operations.

8-44. Refer to *AR 190-12* for more information about the MWD program, to include standards for selecting and retaining handlers and dogs, training teams, constructing kennels and training areas, maintaining and disposing of dogs, using teams, and using force. Refer to *DA Pamphlet 190-12* for more information about the MWD program.

UNITED STATES CUSTOMS SUPPORT

8-45. Units (and individuals) returning to the customs territory of the US (CTUS) have the responsibility to ensure that their vehicles and equipment meet US customs, other governmental agencies, and US Department of Agriculture (USDA) standards. Units request and receive customs support to ensure that they comply with all the established requirements. Trained military personnel, normally from the unit deploying to CTUS, conduct military customs inspections in the absence of US customs personnel. Senior military customs inspectors (SMCIs) train and supervise unit personnel on custom's responsibilities and requirements. SMCIs supervise the customs operations. The SMCIs supporting the theater deploy as part of the customs operations team.

CUSTOMS OPERATIONS TEAM

8-46. The customs operations team supports the commander's requirement to ensure that personnel, equipment, and materiel meet US customs, immigration, USDA, and other federal agency requirements for redeployment back to the CONUS. A complete customs operations team includes an SMCI supervisor team and two 5-member SMCI inspection teams.

8-47. The customs operations team, when deployed, is assigned to the Army service component command (ASCC) PM. It may be under the OPCON of or attached to the theater support command (TSC) PM.

8-48. The SMCI supervisor provides technical supervision, staff planning, and coordination for mission requirements with the Army staffs and agencies, redeploying units, and US federal agencies.

8-49. Two SMCI teams provide the capability to support two ports of embarkation (POEs). Before arrival at the

POE, these teams advise deploying units on requirements and procedures to preclude delays or rescheduling of unit and strategic lift transportation. Team members train and supervise selected redeploying unit personnel as inspectors to augment the SMCI team.

REDEPLOYMENT OPERATIONS

8-50. *AR 700-93* provides guidance on processing and shipping DOD-sponsor retrograde cargo destined for the CTUS. In order for a unit to redeploy successfully, it must—

- Coordinate for site requirements and standards.
- Establish wash and holding areas.
- Determine the existing USDA preclearance requirements.
- Use the expertise of assigned SMCI.

Site Requirements

8-51. A site includes those areas necessary to getting the unit's vehicles and equipment ready for the customs inspection and shipment. A suitable site includes the following areas:

- Staging.
- Download.
- Vehicle or equipment wash area.
- Inspection.
- Holding (sterile).

8-52. **Staging Area.** A staging area is an open area large enough to handle the number of vehicles and equipment being processed. Units often underestimate the amount of space needed for the staging area. An accurate count of vehicles and personnel redeploying to the CTUS must be received to accurately determine the staging area requirement.

8-53. Download Area. The download area is an area that must have a base of cement, asphalt, or clean or coarse gravel at least 6 inches deep. Vehicles arriving from the staging area download equipment here. The download area breaks out equipment and vehicles for wash area activities. Vehicles are taken to the vehicle wash area and equipment is taken to the equipment wash area.

8-54. Vehicle and Equipment Wash Area. A vehicle and equipment wash area or wash site consists of a hardstand area with adequate drainage, water outlets, high-pressure steam cleaners, and ramps. Most wash sites resemble a birdbath using long tubes with holes in them. A vehicle passes by the tubing while it pressure sprays the sides and undercarriage of the vehicle. Unit personnel clean vehicles to free them of dirt, vegetation, insects, and so forth, and check for and clean up fluid spillage. Equipment is cleaned meticulously, ensuring that there is no debris or soil present. When vehicles and equipment are assumed to be clean, they are reloaded and moved to the inspection area.

8-55. Inspection Area. The inspection area is where the vehicles and equipment are inspected for cleanliness. If vehicles and equipment are clean, they are moved to sterile holding areas. If they are dirty, they are moved to a spot-wash area and spot-cleaned. Vehicles and equipment that were spot-washed are reinspected, and if clean, go to the sterile holding area.

8-56. Holding Area. Cleaned vehicles and equipment are placed in the holding area. Unit personnel guard the holding area to ensure that unit members or other personnel do not contaminate or place restricted or contraband items in vehicles or equipment. The holding area must be free of USDA concerns. Some of these concerns include the following:

- Weeds. The download area must be vegetation free.

- Soil. The download area must be completely free of soil and soil particles.
- Pests. Insects and their debris or excrement are a major concern in the download area. Ensure that insects are kept out of the download area.

NOTE: SMCIs assist units in identifying and eliminating USDA concerns.

8-57. Vehicles and equipment in the holding area will be loaded onto rail, ship, or other means of transport for redeployment.

MULTINATIONAL LAW AND ORDER OPERATIONS

8-58. Multinational police operations may involve joint patrols with allied forces, HN military or civilian police, or a combination of these options. Commanders may also choose to operate certain patrols or stations with MP forces of one nationality, with all police operations answering to a combined, multinational operations cell. Because each nationality has its own statutes, regulations, policies, and traditions, police forces should enforce laws only on persons normally under their own jurisdiction. This reduces confusion about authority and the potential ill feelings that can result when citizens are controlled by other foreign forces. If a situation occurs involving HN or third-nation citizens, the MP should contain or monitor the situation until the appropriate police agency can respond to control the situation. MP may be required to control the situation (consistent with ROE or ROI) if the appropriate agency is not reasonably available or the situation is so severe that a delay would endanger lives.

8-59. *The Foreign Assistance Act of 1961* prohibits the military from training HN civilian police. However, MP may be directed to provide initial assistance and training to foreign military or civilian police forces or

assist in the creation of these forces, where the local national authority has broken down. This is an exception to *Section 660 of the Foreign Assistance Act*. MP, when directed, conduct training for foreign military police and assist in reorganizing local constabulary forces during stability and support operations. MP provides short-term emergency L&O capabilities until the foreign military or civilian police forces are functional.

8-60. US military training assistance of foreign military or civilian police normally includes the following:

- **Special forces.** These detachments teach basic skills needed to perform security duties such as small arms training, unit security tactics, radio procedures, and human rights observation and safeguard.
- **Military police.** MP teach investigative techniques, law enforcement skills, and confinement operations.
- **Civil affairs.** CAs coordinate with the HN to effectively integrate training with the established political system. They also provide language interpreter support.
- **Psychological operations.** PSYOPS personnel work to gain and maintain acceptance of the training effort by the civilian population and encourage their acceptance of the new or reconstituted civilian police force.

8-61. The US ambassador and country team provide guidance for implementing all US Department of Justice (USDOJ) training, including police training. US military forces conduct training under the direction of the civilian authorities, and only until the International Criminal Investigative Training Assistance Program (ICITAP) staff or another agency can assume training. Contractors working for ICITAP, USDOJ, or another international agency may also provide instruction and

assistance, and frequently assume those duties from the military as the situation matures. US military involvement in training foreign military or civilian police should not normally exceed 180 days following the end of a conflict.

8-62. MP train HN military or police forces to maintain L&O, using current operational and investigative techniques. They may also act as the agents to equip those forces with the material needed in police operations and train HN personnel on the use and maintenance of that equipment. The training provided may be formal or informal instruction, or consist of on-the-job training with MP working with, and monitoring the performance of, HN police authorities. Classroom instruction is based on training packages developed locally or by higher HQ, or exportable training packages from a service school.

8-63. Once the basics of law enforcement have been learned or reinforced, new or reconstituted police may benefit most from working together with MP in joint operations. ROE and ROI may vary by situation, but some basic guidelines for working with newly constituted or reconstituted police agencies are—

- Allowing the HN authorities to handle situations involving local nationals. US forces assist HN police and monitor the situation. US forces should not appear to be giving orders to the HN agents.
- Ensuring that US forces take care that they do not embarrass or demean HN agents, especially in view of the populace. Soldiers must understand that negative behavior toward their HN counterparts could seriously damage the relationship between US forces and the HN authorities.
- Ensuring that US forces are aware of and sensitive to the cultural traditions and

standards of the HN. What may be acceptable in one culture may be, at best, ill-mannered and possibly, a serious insult or even criminal behavior in another culture.

- Ensuring that US forces appear publicly to be respectful of its agents and leadership and be confident in their abilities. This helps the HN force be effective and respected by the local populace.

8-64. As HN authorities develop professionally and gain the confidence of the HN population, the role of US forces changes. MP shift from being the sole providers of L&O, to being role models and advisors for local authorities, to being monitors of HN police activity.

8-65. Combined police operations reinforce training and provide HN police with the mobility, security, and communications to operate more effectively while conserving critical personnel resources. MP provide support through training and the following, usually combined, operations:

- Law enforcement, security, and criminal information support to the indigenous police force to include L&O operations and administration in a democratic society.
- Patrol and desk.
- Traffic control.
- PRC and civil disturbance.
- MWD.
- Physical security.
- Personnel security.
- Area and route security.
- Counterdrug.
- Antiterrorism.

8-66. In most cases, US forces will continue to exercise jurisdiction over their own forces, especially for offenses

of a purely military nature. Local government, once reestablished, may choose to assume jurisdiction in serious or high interest offenses involving US personnel or according to the applicable SOFA or other agreement. MP, in the absence of competent civil authority, establish control over the movement of personnel and supplies and guard critical food supplies and material during production and storage. As the local police and paramilitary forces become effective and assume more security responsibilities, MP elements reduce their activity. They withdraw their support gradually, ensuring that the HN has adequate resources to carry out ongoing programs.