

MCIP 3-34.02

**Commander's Guide to Law Enforcement
Professional Employment**

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w/CD comment corrections**

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2 Headquarters United States Marine Corps
3 Washington, D.C. 20380-1775

4 XX XXX 2011

5 FOREWORD

6
7 *Commander's Guide to Law Enforcement Professional Employment* provides a framework for
8 refining our operational approach for the employment of advisors with law enforcement
9 expertise in support of military operations.

10
11 This Marine Corps Interim Publication (MCIP) describes how the United States Marine Corps
12 (USMC) working with Law Enforcement Professionals can expand its range of capabilities
13 suitable for operations in complex environments, including operating in populated areas and in
14 dealing with irregular threats that are directly supported by or operate similar to a criminal
15 enterprise (i.e. organized crime, smuggling, illicit trade, corruption, transnational terrorists, etc).
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17 Recent operational experience has proven that the utility of Law Enforcement Professionals in
18 support of military operations is a viable capability worthy of further development and
19 operational experimentation. This manual was developed in light of Marine Corps Requirements
20 Oversight Council decision DM 17-2010 (signed on February 18 2010) regarding the Urgent
21 Universal Needs Statement for "Law Enforcement Support to Counterinsurgency/Irregular
22 Warfare Operations. This publication specifically provides guidance in the use of Law
23 Enforcement Professionals employed under the current program (i.e. personnel with experience
24 in civilian law enforcement agencies employed as contractors assigned to USMC units for a
25 specific operational deployment), but it also outlines a conceptual framework that can be
26 modified to support the employment of law enforcement advisors that may be drawn from other
27 sources as the concept develops in the future.
28

29 This MCIP explores ideas for refining the use of Law Enforcement Professionals in light of
30 likely operating environments, adversaries, tactics, and technologies. This publication does not
31 prescribe specific solutions. Rather, it broadly describes a number of potential options for
32 employment. These options must be critically examined through operational experimentation
33 and practical application in order to determine their feasibility, operational utility, and
34 desirability. Our purpose in doing so is to ensure that the Marine Corps organic capabilities and
35 interagency partnerships are optimized to effectively engage the irregular challengers that
36 threaten our National Security.
37

38 Reviewed and approved this date.

39 BY DIRECTION OF THE COMMANDANT OF THE MARINE CORPS

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Chapter 1. INTRODUCTION

PURPOSE

1. *The Commander's Guide to LEP Employment* broadly describes the capabilities associated with the employment of experienced civilian Law Enforcement Professionals (LEP) with specialized skills to directly support military operations by bringing applicable law enforcement skills, perspectives and expertise into the repertoire of Marine units on operations. It is also meant as a guide toward closer integration of USMC and United States (US) civilian law enforcement agencies in meeting the security challenges faced in complex operational environments. Additionally, it will provide the basis for further operational experimentation intended to influence capability development across the Doctrine, Organization, Training, Materiel, Leadership, Personnel and Facilities spectrum.

OBJECTIVES

2. This document seeks to accomplish three objectives:
- a. Provide a baseline understanding of LEP capabilities in support of military operations.
 - b. Describe the unique considerations required of commanders associated with integrating Law Enforcement Professionals into their CONOPS.
 - c. Provide commanders with a tool to understand, strengthen and refine the warfighting requirements for further organic law enforcement-related capability development and the expansion of US Government Interagency cooperation between USMC and various law enforcement agencies.

SCOPE

3. This document provides a conceptual baseline that will guide identification, assessment, and deployment of LEPs in support of USMC operations. This MCIP should be considered as guidance only, as the interim publication does not outline formal doctrine and does not supersede existing policy or directives. The MCIP is a product of research into existing USMC doctrine, USMC Center for Lessons Learned reports and direct consultation with combat-experienced commanders, LEPs, as well as law enforcement and counterinsurgency (COIN) experts from across the US Government. The results of that research and consultation were validated in a workshop conducted at Quantico in December 2009.

1 **BACKGROUND**

2 4. A LEP can provide critical expertise and insights to a USMC unit during the course of an
3 operational deployment. An assigned LEP can help the unit’s commander and staff enhance the
4 range and effectiveness of operations by introducing skills, techniques and perspectives from the
5 law enforcement community and helping apply them to the unit’s operations. This is not to
6 suggest that the unit should be conducting law enforcement operations or that LEPs are intended
7 to help Marines become police; rather it is intended to assist the unit to deal with the complexity
8 likely to be encountered across the range of military operations in complex environments.

9 5. The LEP Program commenced in 2006. LEP was originally a Joint IED Defeat
10 Organization pilot program which later transferred program management to the US Army Office
11 of the Provost Marshal General. The Marine Corps continued participation in LEP due to its
12 success in support of operating forces. The program was so successful that by the end of 2009,
13 there were several hundred LEPs deployed in support of US Army and USMC units (at battalion
14 and higher levels) in Iraq and Afghanistan. The police personnel who deployed as LEPs had, in
15 most cases, spent careers in law enforcement and their experiences were invaluable to military
16 operations. Other related pilot projects such as Op METRO (Cop on the Beat tactics), Combat
17 Hunter and other intelligence related activities were influenced in varying degrees by civilian
18 law enforcement professionals from organizations such as the Los Angeles Police Department
19 and the US Marshals Service. The success of these various programs coupled with the need for
20 more formal integration became the catalyst for an Urgent Universal Needs Statement from
21 MARCENT to continue funding and develop more fully integrated capabilities.

22 6. LEPs are intended to assist deployed USMC units by providing law enforcement
23 expertise to units at the tactical level. LEPs can provide expertise to the unit in developing
24 operations for working in and among civilian populations, where the imperatives of military
25 operations and law enforcement tend to converge. More fundamentally, LEPs can assist units by
26 bringing a different perspective (based on their extensive professional experience) to the
27 planning and conduct of operations in the types of complex environments that are likely to be
28 faced by Marines now and in the near future.

29

30 **Chapter 2. FUNDAMENTALS**

31 **WHAT IS A LAW ENFORCEMENT PROFESSIONAL?**

32 1. A LEP is an experienced law enforcement specialist assigned to a USMC unit to assist
33 the commander and staff to adapt law enforcement tactics, techniques, procedures and
34 perspectives, where appropriate to assist in accomplishing the mission.

35 **PRINCIPLES OF EMPLOYMENT**

1 2. There are a number of principles that should guide commanders in the employment of
2 assigned LEPs. These principles apply to all LEPs regardless of which echelon of command
3 they are assigned to. The principles below frame the LEP concept as a whole and are the
4 foundation of LEP employment.

- 5 a. LEPs are intended to assist Marine units develop a wider range of skills and perspectives
6 to conduct military tasks more effectively in likely operational contexts particularly
7 where there is a convergence of military and law enforcement responsibilities. LEPs are
8 not intended to “help Marines to become police”.
- 9 b. LEPs should become involved in advising, mentoring or otherwise assisting host nation
10 law enforcement personnel/agencies only when such cooperation will contribute to
11 achieving the unit’s missions. LEPs are not assigned to help Marines enforce host nation
12 law.
- 13 c. LEPs are best employed when their efforts are integrated into the military processes of
14 the staff and subordinate elements of the unit in all phases of deployment, which may
15 include Pre-Deployment Site Surveys (PDSS). LEPs are intended to augment those
16 processes, not supplant them.
- 17 d. USMC operational units may benefit from allowing LEPs the latitude to communicate
18 with other agencies outside the unit’s direct chain of command (including possible
19 communication with law enforcement agencies in the US). However, such
20 communication channels need to be conducted in accordance with the direction of the
21 unit commander, consistent within the authority and limitations of the unit, and regulated
22 to ensure that the passage of information is transparent to the unit staff and contributes to
23 the unit’s staff processes (especially operations and intelligence staff).
- 24 e. LEPs are best employed in accordance with the particular skills and talents of the
25 individual LEP, which are likely to differ from the skills and talents resident in another
26 LEP.
- 27 f. A LEP can be employed for unit tasks in training, advisory, mentoring and/or direct
28 participation roles.

29
30 **LAW ENFORCEMENT ADVISORS AND THE LAW ENFORCEMENT**
31 **PROFESSIONAL PROGRAM**

32 3. It is envisaged that, based on the initial success of the LEP program and the direction in
33 the Marine Corps Requirements Oversight Council Decision Memorandum 17-2010, the USMC
34 will develop a wider concept for the use of “Law Enforcement Advisors” (LEA) which will
35 describe a capability rather than a specific program or contractor defined solution. The LEP
36 Program (which assigns contractors with experience in civilian law enforcement agencies to

1 support USMC units for a specific deployment) is the current solution for providing this
2 capability. As the Law Enforcement Advisor concept matures, there are numerous potentially
3 viable sources for providing this capability, including:

- 4 a. **US Government (USG) Law Enforcement Agencies.** USG law enforcement agencies
5 are currently developing a robust compliment of expeditionary capabilities. Active
6 participants in various capacities are the Federal Bureau of Investigation , Drug
7 Enforcement Administration, Immigration and Customs Enforcement, Customs and
8 Border Protection, US Coast Guard and the US Marshals Service. Opportunities exist
9 within other organizations but will require further development and partnering
10 agreements.
- 11 b. **Reservist with civilian Law Enforcement experience.** Marine Corps Reservists with
12 extensive civilian law enforcement experience have contributed immensely to the success
13 of the operational units that they have deployed with. This is a unique organic asset with
14 significant potential and worthy of further investigation as a potential source of LEAs for
15 USMC units.
- 16 c. **Military Police, including Criminal Investigation Division personnel.** Traditionally
17 Military Police have been utilized as a force protection enabling capability for operating
18 forces and the supporting establishment. Additionally, their law enforcement duties have
19 been oriented internally in support of their respective Base or Marine Expeditionary
20 Force commanders. Recent reorganizational efforts, doctrinal revisions and training
21 enhancements are cultivating an enabling capacity to support unit operations with
22 specialized law enforcement skills, where relevant in complex operating environments.
23 In time, this developing organic capability will prove to be an invaluable asset in Marine
24 Corps operations. It is possible that the effective use of LEAs may serve to stimulate this
25 capability development.

26 4. This MCIP has been produced specifically to provide guidance on the employment of
27 LEPs, i.e. contractors engaged under the current program. Although many of the concepts and
28 guidance may be modified for applicability to Law Enforcement Advisors drawn from other
29 sources in the future, this MCIP will only address implications related to the current LEP
30 construct.

31 **LIMITATIONS ON EMPLOYMENT**

32 5. Under current arrangements, LEPs are contracted civilian personnel. Their activities and
33 actions are subject to the following general limitations (the specific limitations on the
34 employment of LEAs drawn from other sources in the future are likely to differ from these):

- 35 a. LEPs are not uniformed military personnel and cannot act in that capacity. They have no
36 command authority over, and cannot issue orders to any Marines, other military or
37 civilians (including other LEPs).

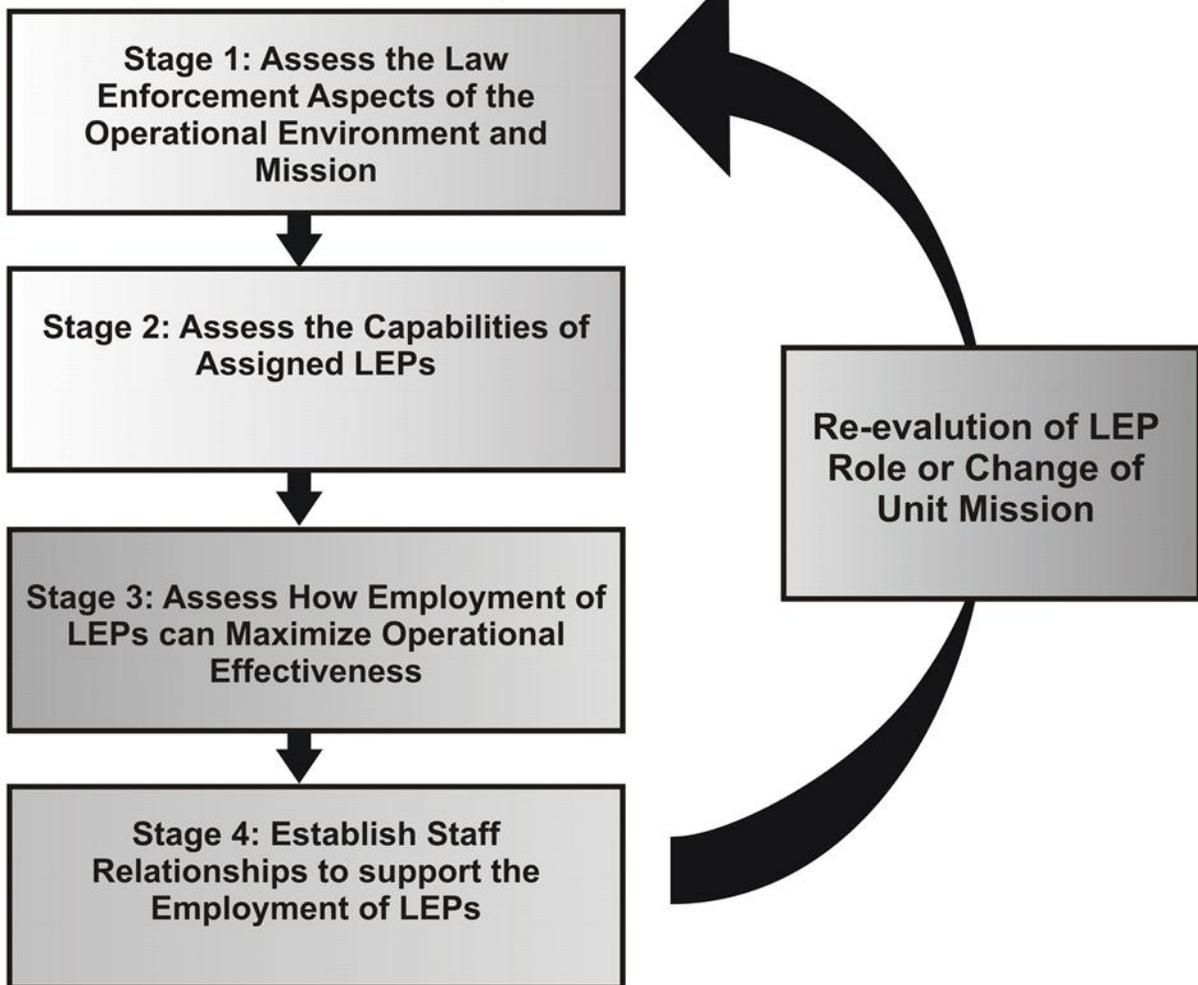
- 1 b. During the course of their assignment in support of a USMC unit, LEPs have no law
2 enforcement authority or arrest powers beyond those granted to the unit in its rules of
3 engagement. LEPs are not agents of host nation civilian law enforcement, US military or
4 US civilian law enforcement agencies.
- 5 c. LEPs will not conduct any investigations where Marines, other US service personnel, US
6 citizens, or coalition forces are suspects. Investigations regarding these personnel will be
7 referred to the appropriate military or civilian law enforcement agencies (the Criminal
8 Investigation Division, National Criminal Investigative Service, and others as required).
9 LEPs may provide assistance to these agencies where this assistance is consistent with all
10 extant Department of Defense (DoD) and service policies related to the employment of
11 LEPs and the conduct of investigations.
- 12 d. LEPs assigned to USMC units are not authorized to conduct interrogations or to run
13 source operations. When authorized by the commander and where consistent with extant
14 DoD and service policies related to the employment of LEPs and the conduct of human
15 intelligence operations, the LEP may provide law enforcement advice and
16 recommendations to military Human Intelligence (HUMINT) personnel conducting
17 authorized interrogations and source operations.
- 18 e. LEPs are not authorized to conduct training of host nation law enforcement or security
19 forces. In circumstances where the unit has been tasked to train host nation security
20 forces, a LEP may provide training and assistance to the Marines involved in this task.
21 LEPs may also advise and mentor host nation law enforcement personnel when this is
22 conducive to achieving the unit's mission.
- 23 f. A LEP should not be designated as a Liaison Officer as this implies the LEP has the
24 authority to speak on behalf of the commander of the unit. However, LEPs may advise
25 Marines who are working as Liaison Officers to law enforcement agencies.

26

27 **Chapter 3. PLANNING FOR THE EMPLOYMENT OF LAW**
28 **ENFORCEMENT PROFESSIONALS ON OPERATIONS**

- 29 1. This MCIP does not prescribe authoritative solutions for the employment of LEPs. For
30 best effect, their employment will need to be determined by considering the specific operational
31 circumstances facing the unit and the unique capabilities of assigned LEPs. Accordingly, this
32 MCIP provides guidance and a suggested process for Marine unit commanders and their staff to
33 develop a plan to effectively employ their assigned LEPs into wider unit operations. The four
34 stages of the process are illustrated in Figure 3-1.

Integrating the LEP into Unit Operations



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Figure 3-1 Process for integration of LEP employment

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Four Stages in Planning for Employment of Law Enforcement Professionals

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3. Marine units should maximize the effective use of their LEPs by identifying their role(s) during the unit's operational planning and design process, as opposed to assigning the LEP specific tasks identified before a complete planning process has been completed. The following process, which should in turn be integrated into the unit's regular planning processes, is a

1 suggested method to achieve this. Units that have LEPs assigned to them should begin this
2 process as a part of their pre-deployment preparation.

3 4. The four stages in planning for employment of LEPs are:

4 a. **Stage 1 – Identify the characteristics of the operational environment where military**
5 **and law enforcement skills and perspectives converge.** The unit must identify and
6 understand the law enforcement aspects of the unit’s mission and operating environment.
7 This should be completed as a part of the unit’s planning process, including PDSS.

8 b. **Stage 2 – Assess the Capabilities of Assigned LEPs.** The unit will need to understand
9 the unique capabilities, skills and talents of each of their individual assigned LEPs.

10 c. **Stage 3 - Assess How Employment of Law Enforcement Professionals can Maximize**
11 **Operational Effectiveness.** This stage aligns the LEP’s capabilities with the law
12 enforcement aspects of the mission and develops a concept that allows LEPs to contribute
13 to unit operations and assigns each LEP specific tasks.

14 d. **Stage 4 – Establish Staff Relationships to Support the Employment of LEPs.** In this
15 final stage the unit establishes appropriate command, control, and communications
16 arrangements for the LEPs that are consistent with the assigned tasks.

17

18 **Chapter 4. STAGE 1 - ASSESS AND IDENTIFY THE CHARACTERISTICS**
19 **OF THE OPERATIONAL ENVIROMENT WHERE MILITARY AND LAW**
20 **ENFORCEMENT SKILLS AND PERSPECTIVES CONVERGE AND**
21 **MISSION**

22 1. Marine units must identify and understand the relevance of law enforcement in their
23 operations in order to effectively employ and integrate their assigned LEPs into unit operations.
24 Ideally, this step will be conducted as a part of the unit’s pre-deployment Marine Corps Planning
25 Process (MCPD). A LEP should be included in this process in order to promote a common
26 understanding of the operational environment, the unit’s mission and as the initial point of
27 integrating LEPs into the unit’s operations.

28 **Convergence of Law Enforcement and Military Responsibilities in Complex Operational**
29 **Environments**

30 2. Modern operations are conducted in environments that require both military and law
31 enforcement expertise. It is now common for Marine units to be assigned missions or roles in
32 which responsibilities extend beyond the destruction of an enemy and may include wider
33 security responsibility for an area of operations (AO) and/or supporting the restoration of host
34 nation governance. The following are some characteristics of complex operations that show the
35 need for the convergence of military and law enforcement skills and perspectives.

- 1 3. Operations are more likely to occur within populated areas; this will complicate the
2 conduct of security operations. Therefore there is a requirement to consider that:
- 3 a. The human environment is likely to host a range of competing agendas and rivalries
4 (based on ethnic, tribal, religious, political and/or socio-economic reasons) that can be the
5 basis of civil unrest and other communal violence. In dealing with this type of violence,
6 Marines will often need to undertake action that is marked by a judicious and graduated
7 use of force.
- 8 b. Security operations may require the imposition of population control measures that will
9 need to be enforced in a manner similar to policing operations. The community itself
10 may provide a valuable source of information to understand the security issues in the AO
11 and community policing techniques may be adapted by Marines to achieve operational
12 objectives.
- 13 c. A high incidence of crime in the AO (including looting or other crime that may be
14 unrelated to “threat” groups) may undermine the efforts of the Marines to provide
15 sustainable security.
- 16 d. The community itself may provide a valuable source of information that can enhance the
17 unit’s understanding of the security issues in the AO. Community policing techniques
18 provide models that Marines can adapt to leverage this potential.
- 19 4. Threats to security in complex operations often have important criminal dimensions.
20 These include:
- 21 a. Violent activity by any actor other than the state (either the host nation or its allies) is a
22 form of criminal activity. Long-term stability and security depend upon the state’s use of
23 criminal justice systems as their primary method for countering crime, relying upon lethal
24 force only when all other options have been exhausted.
- 25 b. Groups posing a threat to security (such as criminal gangs, underground political parties,
26 hostile tribal leaders, insurgent/terrorist groups) will often resource their violent activity
27 and intimidation activity through the conduct of non-political crime. Hence
28 understanding and/or disrupting wider criminal activity in an area of operations may be
29 beneficial in identifying threat groups and mitigating their influence on the population.
- 30 c. By the nature of their mode of operation, threats are likely to be in the form of covert or
31 clandestine networks that may have substantial connections with organized crime,
32 underground political movements and other (domestic or international) criminal groups.
- 33 5. Establishing sustainable security in this type of environment often demands that Marine
34 units cooperate with and support the host nation (HN) rule of law (RoL) system. This includes:
- 35 a. In addition to law enforcement agencies, a RoL system includes judicial and corrections
36 infrastructure as well as a set of laws governing criminal justice.

- 1 b. Supporting HN RoL encourages the restoration (or establishment) of civil governance
2 under host nation authority, which should be consistent with the long-term objectives of
3 the US intervention.
- 4 c. HN RoL provides a mechanism for Marine units to transition detainees suspected of
5 involvement in criminal activity (particularly violent crime) into the criminal justice
6 system where they can be appropriately tried for their activities.
- 7 d. In many operational environments, this system will be corrupted, ineffective or even non-
8 existent. Marine units are unlikely to be given the mandate or expertise to build host
9 nation RoL system capacity. However, units can benefit from understanding the
10 capabilities and limitations of those elements of the RoL system that do exist.

11 6. The operational environment may include US Government and/or international agencies
12 with mandates or missions relating to law enforcement or other elements of the RoL. Although
13 the Marine unit may not have a specified task to coordinate with these agencies, it is important
14 that Marine units are cognizant of such programs in theater and understand the role, priorities
15 and capabilities of the agencies running these programs. This may permit cooperation with these
16 agencies in a manner that contributes to mutual objectives. The types of agencies that may be
17 present include:

- 18 a. **US or third nation law enforcement agencies.** This refers to law enforcement officers
19 from US agencies (such as the Federal Bureau of Investigation , the US Marshals Service,
20 or the Drug Enforcement Agency) or other nations who are present in a liaison role or
21 investigating persons, issues or crimes related to their domestic jurisdictions.
- 22 b. **Interim law enforcement agencies.** The deployment of international civilian police
23 personnel to conduct law enforcement in theater may be required because of a lack of or
24 insufficient host nation law enforcement capability. This is often provided by an
25 internationally-staffed United Nations Police , but other nations or multinational
26 organizations could be responsible. The mandate of interim law enforcement can range
27 from providing limited support to HN law enforcement agencies to responsibility for all
28 aspects of civilian law enforcement in theater. Interim law enforcement agencies may
29 have an operational presence within the Marine unit's AO.
- 30 c. **Capacity-building and institutional reform agencies.** Intervention operations will
31 often have programs to build/re-build capacity of or promote institutional reform within
32 host nation law enforcement, judicial, corrections and other RoL institutions. Examples
33 of US agencies likely to be involved in capacity building and institutional reform work
34 include the Bureau for International Narcotics and Law Enforcement Affairs from the
35 Department of State, International Criminal Investigative Training Assistance Program
36 and the Office of Overseas Prosecutorial Development, Assistance and Training from the
37 Department of Justice and the US Agency for International Development. Other agencies
38 involved in this work may be from multinational organizations (such as the United

1 Nations or the European Union) or from third nations. The operations of these agencies
2 will have varying degrees of impact on the unit's AO, depending upon which echelon of
3 the HN government the agency is supporting. Recruiting and local governance programs
4 will likely affect USMC operations significantly while national governance programs will
5 rarely impact directly on USMC unit operations.

6 **Relevance of Law Enforcement Expertise Across the Range of Military Operations**

7 7. Law enforcement expertise can be expected to make a contribution to deployed Marine
8 units across the Range of Military Operations. While law enforcement expertise has obvious
9 applications in COIN Operations and Combating Terrorism, units should also consider how law-
10 enforcement related issues impact their planning for other operations. The following are some
11 examples of the potential for employment of law enforcement expertise by a unit in different
12 types of operations.

- 13
- 14 a. **Major Operations.** The focus for law enforcement expertise during Major Operations
15 will usually be on assisting the unit to plan and prepare for the transition to the next phase
16 of operations in the immediate post-combat period. This includes assessing the host
17 nation rule of law system and training Marine personnel in skills appropriate for
18 operating in the immediate post-combat environment. Marines may undergo this
19 transition to post-combat operations in some sectors of an area of operations while
20 combat is still occurring in other sectors; hence law enforcement expertise and tactics,
21 techniques, and procedures (TTPs) may often be relevant for Marines simultaneously
22 with Major Operations.
- 23 b. **Foreign Humanitarian Assistance.** These operations may not be marked by direct
24 threats to Marine units, but instead by significant threats to security in the AO. Law
25 enforcement experts who have experience in disaster relief efforts within the US may
26 also be able to advise commanders and staff on wider implications of the unit's plan.
27 Law enforcement expertise can be used to provide training on law enforcement TTPs as
28 well as in advising the unit on how to support or reinforce host nation police forces that
29 may be in the process of re-constituting. The ability for law enforcement experts to talk
30 "cop-to-cop" with host nation forces will enable the commander to develop a better
31 picture of the effectiveness of the host nation forces and of the threats that they face.
32 However, any such communication with local police will need to be conducted in
33 accordance with the direction of the unit commander, consistent within the authority and
34 limitations of the unit, and regulated to ensure that the passage of information is
35 transparent to the unit staff
- 36 c. **Nation Assistance.** If Marines are advising other foreign military units as part of an
37 assistance mission, law enforcement expertise could advise the commander on how the
38 host nation military relates to the local rule of law system and how the military would
39 interact with host nation law enforcement entities. If Marines are, in exceptional

1 circumstances, advising host nation police forces, then law enforcement expertise could
2 play a profound role in helping the commander and staff understand law enforcement
3 culture as well as interact directly with the local police forces.

- 4 d. **Peace Operations.** Law enforcement expertise would prove invaluable to the unit in
5 adapting TTPs to an operational environment where a less overt threat is likely to be
6 encountered. In operations where the local security forces may be a source of conflict,
7 law enforcement perspective on host nation civilian policing would provide the unit
8 commander the ability to assess the local forces' regard for human rights and the rule of
9 law and their potential to act as a spoiler in the establishment of lasting peace.

10 **Law Enforcement Related Planning Considerations**

11
12 8. The following are some of the factors that may be considered in the unit's planning
13 process to help clarify the law enforcement aspects of the operational environment and mission.

14 a. Effects of crime on the operational environment, including:

- 15 i. What are the patterns of violent crime in the AO?
16 ii. What are the inter-ethnic/tribal/factional/etc dimensions of violent crime?
17 iii. What are the effects on the crime situation that may result from international
18 military action (such as retributive violence, property theft or looting)?

19 b. Existence and effectiveness of host nation law enforcement and other rule of law
20 institutions in the area of operations, including:

- 21 i. What are the capabilities and limitations of agencies in the area of operations?
22 ii. What indications exist of corruption, political/ethnic/etc bias, complicity in
23 violent activity, human rights abuses, etc?
24 iii. What aspects of the local criminal procedure code are relevant when cooperating
25 with local agencies?
26 iv. What (non-state or informal) mechanisms exist for maintaining order, securing
27 the population and dispute resolution if host nation institutions are inadequate?

28 c. Presence of third-nation/multinational police forces and rule of law capacity-
29 building/institutional reform programs in theater, including:

- 30 i. What is the mandate of any international police forces? What are its
31 responsibilities and capabilities? What national caveats that may place limitations
32 on action by members of various police contingents?
33 ii. Are international police forces present within the unit's area of operations? What
34 are their dispositions?

- 1 iii. What are the intent for and priorities of international capacity-building and
2 institutional reform programs? What are the effects of these programs within the
3 unit's area of operations?
- 4 d. Criminal aspects of threat/spoiler groups.
- 5 i. How do threat/spoiler groups use violent crime and intimidation to advance their
6 agendas?
- 7 ii. What role does criminal activity play in supporting the group's capability?
- 8 iii. What are the links to and within criminal and other underground networks?
- 9 iv. Identification of threat/spoiler group critical capabilities, requirements, and
10 vulnerabilities resulting from criminal aspects.
- 11 e. Unit mission analysis considerations include:
- 12 i. What are the unit's specified and implied tasks with respect to maintaining law
13 and order and dealing with criminal activity in the area of operations?
- 14 ii. What constraints and restrictions exist on unit operations with respect to law
15 enforcement and supporting the rule of law?
- 16 iii. What are the law enforcement and rule of law responsibilities of other Marine,
17 Joint, Defense, Interagency, and/or Coalition units, and agencies within the area
18 of operations and how are they coordinated?
- 19 9. Specific consideration should also be given to the potential for any major changes to the
20 mission, threat, or environment during the course of the deployment. This is particularly
21 important with respect to a transition during or after Major Combat Operations and any
22 implications on how a LEP can help the unit prepare for that transition.

23

24 **Chapter 5. STAGE 2 - ASSESS THE CAPABILITIES OF ASSIGNED LAW** 25 **ENFORCEMENT PROFESSIONALS**

26 1. Once a unit has been assigned a Law Enforcement Professional or a number of LEPs it is
27 important for the unit commander and staff to understand the capabilities of the assigned
28 personnel. There are two aspects to this: understanding the specific background of the LEPs; and
29 understanding how those backgrounds can be employed to contribute to operational success.
30 The following section provides context to help the commander make an assessment of the
31 specific utility of each particular LEP in order to determine best use of them in support of the
32 unit's operations.

33 2. **Understanding Different Perspectives of Military and Law Enforcement**
34 **Communities.** While military and law enforcement communities may appear to be similar,
35 there are differences between the two communities' perspectives on their role and how they

1 conduct operations in their own operating environments. These can have an impact on the
2 perspectives that representatives of each community may have when working on a common
3 issue. Understanding these differences can help facilitate deeper levels of military-law
4 enforcement cooperation and help a Marine unit recognize the applicability and limitations of
5 law enforcement approaches/techniques to their operations. A comparison of some of the typical
6 differences in perspective between military and law enforcement agencies is contained in Annex
7 B.

8 **3. Background of Assigned Law Enforcement Professionals.** Each LEP will have a
9 unique background with varied experience and expertise from their career as a LEP. The unit's
10 commander and staff should make every effort to understand each LEP's background in order to
11 determine how to best employ them in support of the unit. The following factors are
12 recommended in consideration of a LEP's background.

13 **4. Agencies of previous service.** The agencies with which a LEP has had previous service
14 may be an indication of their particular skills and experience. The civilian law enforcement
15 community consists of more than 18,000 agencies at the federal, state, and local levels. These
16 agencies represent a diverse range of functional and territorial jurisdictions. It is important to
17 note that many LEPs may have served with several agencies over the course of their career.

18 a. Most of the major Federal agencies fulfill a primarily investigative function with
19 jurisdiction over specific legislation or categories of crime (such as organized crime,
20 narcotics, or financial crimes). LEPs with this background can be expected to have
21 experience working in complex investigative operations targeting criminal networks and
22 in dealing with judges and prosecutors at the Federal level.

23 b. Larger federal agencies have field offices throughout the US and will work with local
24 agencies, often leading regional task forces in these areas. Employment in these areas
25 may have provided their officers with "street-level" policing experience.

26 c. Law enforcement agencies at the state and local levels tend to have general responsibility
27 for most aspects of maintaining law and order within a defined territory based on the
28 state, county, municipality or corporate entity (such as a university, transportation system
29 or hospital) that they serve. Experience with these agencies provides familiarity with a
30 broad range of law enforcement functions.

31 d. LEPs with state or local agency service will often have experience in working on a task
32 force (these are regionally-organized groups led by the relevant federal agency with
33 staffing drawn from state and local agencies which investigate crimes of a particular
34 nature – such as Organized Crime, Narcotics, Terrorism or Fugitives – that are of concern
35 to all of the agencies involved). Task force experience gives an officer exposure to the
36 conduct of complex investigations, providing a familiarity of the capabilities of other
37 federal, state, and local agencies.

38 **5. Experience within previous agency.** The roles fulfilled within each agency should also
39 be of relevance in determining best potential employment of a LEP (however, it should be noted

1 that not all specialties fulfilled in LEP’s career are suitable for them to conduct in their capacity
2 as a LEP). Extant DoD and/or service policies regarding the employment of LEPs, the conduct
3 of intelligence operations, the conduct of investigations and related policies will provide some
4 specific limitations in this regard. This is particularly important for personnel with experience in
5 larger departments given that these officers will have had greater opportunities to work in
6 specialized areas. More experienced officers may have worked in several specializations during
7 their law enforcement career, including:

- 8 a. **Generalist law enforcement.** Many officers will have spent time working as a generalist
9 law enforcement officer. LEPs who have spent the majority of their careers in these roles
10 may have particular expertise in urban patrolling techniques, community engagement
11 programs, understanding patterns of crime, detecting signs of criminal activity or
12 criminal intent and handling a crime scene.
13
- 14 b. **Management and administration.** Personnel with experience in management and
15 administration should have insights into the complexities of running and overseeing a law
16 enforcement agency, including some of the ostensibly mundane aspects of administration
17 that are important to its efficient operation. This experience may be useful when
18 consulting on the sustainment of Marine patrolling operations and assessing the
19 efficiency and effectiveness of any host nation agencies in the unit’s area of operations.
20
- 21 c. **Investigative.** Experience that has likely been gained in investigative policing roles
22 include: drawing on and analyzing diverse sources of information, dealing with complex
23 networks, understanding motivations for criminal activity, working with prosecutors to
24 “build a case” and managing operations to obtain information (evidence) about and then
25 detain and prosecute an individual or group. The skills developed may have relevance to
26 the exploitation of information sources, the targeting of threat groups, or for the building
27 of linkages with the criminal justice system.
28
- 29 d. **Instructional.** Senior law enforcement personnel may have spent some of their career in
30 developing, planning and/or conducting training for police officers. This could have
31 direct relevance to the Marine unit if there is a requirement for providing law
32 enforcement related training to their personnel or for the provision of advice or
33 mentorship to host nation agencies.
34
- 35 e. **Specialist.** Some civilian organizations, particularly within Federal agencies and large
36 metropolitan police departments, maintain specialized units with very high levels of
37 training, resourcing, and expertise. These include units tasked for: tactical/special
38 weapons and tactics operations (with possible expertise in use of force issues, negotiation
39 skills and siege resolution); riot control; protective security (including judicial and
40 witness security); prisoner handling; technical operations (including skills in the use of
41 covert/ clandestine surveillance equipment and sophisticated information technology);

1 forensics (including explosive, ballistic, narcotic, document, fingerprint, ammunition and
2 information technology analysis); search and rescue and border management. LEP
3 experience in any of these specializations may have direct benefits for the planning and
4 conduct of Marine unit operations.

5 **6. Previous international operations.** Individual LEPs may have had previous experience
6 on international operations. Examples of types of international law enforcement experience
7 include:

- 8 a. A previous posting to an international liaison position representing their agency (usually
9 federal, but some larger municipal agencies have international links). This type of
10 service would suggest that the LEP has familiarity in working with the US agencies likely
11 to be represented in an embassy, liaising with host nation agencies and third nation
12 representatives and possibly some language skills that may be relevant to the deployment.
13
- 14 b. Involvement in the conduct of an investigation with international dimensions.
15 Experience of this type may indicate familiarity with complex investigations regarding
16 issues of potential relevance to security within the Marine unit's AO (such as terrorism,
17 narcotics or organized crime) and cooperation with foreign law enforcement, judicial
18 and/or corrections agencies. A LEP may have worked with US national intelligence
19 agencies in the course of such experience.
20
- 21 c. Service on capacity-building missions or international joint operations as a part of a
22 deployment with a Federal agency. Examples of this include training missions in support
23 of Plan Colombia and the US Marshals Service Special Operations Group deployments to
24 Iraq and Afghanistan. A LEP with this type of experience should have familiarity with
25 operating in a deployed environment and intimate acquaintance with the issues of
26 working alongside HN agencies.
27
- 28 d. Service as a deployed police officer as a part of a multinational mission. This includes
29 service with the United Nations Police on one of the various U.N.-led missions. LEPs
30 with this experience will be familiar with the conduct of policing in a deployed setting
31 and with the likely capabilities and limitations of the international police operating in the
32 Marine unit's AO.

33 **7. Previous military service.** A LEP may have some experience of serving with one of the
34 military services, either on active duty prior to their law enforcement career or with the National
35 Guard or Reserve. This previous service may have included operational experience in a combat
36 zone.

37

1 **Chapter 6. STAGE 3 - ASSESS HOW EMPLOYMENT OF LAW**
2 **ENFORCEMENT PROFESSIONALS CAN MAXIMIZE OPERATIONAL**
3 **EFFECTIVENESS**

4 1. With an understanding of the operational environment, mission and the capabilities of the
5 assigned LEPs the unit commander and staff can determine how they intend to employ their
6 LEPs. The unit will need to establish the contributions expected by their LEPs to the overall
7 operational plan. Then the commander and staff will need to determine the specific tasks they
8 will assign to the LEPs.

9 2. **How Law Enforcement Professionals Can Contribute to Operational Success.** The
10 contribution that a unit can expect from their assigned LEPs will vary significantly based on the
11 mission of the unit, the specifics of the operational environment and the skills and experience of
12 the assigned LEPs. However, the contributions that LEPs can make toward operational success
13 will likely be in one or more of the following areas:

- 14 a. Adapting Policing Skills to Marine TTPs and Training Marines in these TTPs
- 15
- 16 b. Enhancing Marine Operations and Targeting by Adaptation of Law Enforcement
17 Techniques
- 18
- 19 c. Incorporation of Police Perspectives and Techniques to Enhance Intelligence Collection
20 and Analysis Procedures in Support of Intelligence-Led Operations
- 21
- 22 d. Improving Unity of Effort

23 3. Each of these contribution areas will be discussed in more detail in the following
24 sections. Each discussion will include some consideration of the different perspective that a law
25 enforcement professional may have on these contributions, some suggested specific methods,
26 and limitations of the law enforcement approach that may be relevant. Each discussion will also
27 include implications for the facilitation of linkages to and compatibility with the criminal justice
28 system.

29 4. **Adaptation of Policing Skills to Marine TTPs and Training Marines in these**
30 **Techniques.** LEPs can make a substantial contribution to operational effectiveness by assisting
31 the unit in the training and advising of Marines and the development of tactics, techniques and
32 procedures that provide a broader set of options for the unit. This will include LEP participation
33 in the development and conduct of the unit's pre-deployment training as well as TTP refinement
34 and advice/mentoring of Marines during the course of a deployment. This is not to say that law
35 enforcement TTPs should supplant USMC TTPs, but instead should help expand and enhance
36 the range and applicability of battle-tested Marine TTPs. The adaptation of law enforcement
37 TTPs into Marine TTPs would provide Marines on the ground a greater ability to identify and
38 neutralize threats to themselves and the civilian population.

- 1 **5. Law enforcement perspective.**
- 2 a. The application of law is the basis of law enforcement capability and activity. The use of
- 3 force may be necessary in law enforcement for self-defense of the officer in the course of
- 4 their duties or in protection of the public; hence police training will usually emphasize a
- 5 judicious and escalated use of force (including significant use of non-lethal options).
- 6
- 7 b. For law enforcement, the successful resolution of an outbreak of violence will often be
- 8 seen as the start of an investigative process supporting the criminal justice system, rather
- 9 than as the culmination of action.
- 10
- 11 c. Law enforcement officers are likely to be comfortable working in highly populated areas
- 12 and dealing with threats to public safety and security that are often not overtly apparent.
- 13 Success for law enforcement personnel in these environments hinges on their ability to:
- 14 identify covert or clandestine threats; identify indications of crime, intent to commit
- 15 crime and patterns of crime; develop relationships with the community to create sources
- 16 of information and to help deter crime; and handle crime scenes in a manner that
- 17 facilitates exploitation by investigative and prosecutorial processes.
- 18 **6. Methods.** A LEP should be able to contribute to the capability of a Marine unit by
- 19 assisting in the adaptation of the unit's procedures (where appropriate) in the following areas:
- 20 a. **Enhancing and developing urban patrolling techniques.** Identifying signs of
- 21 concealed weapons and contraband, indications of criminal/suspicious activity and intent.
- 22
- 23 b. **Applying rules of engagement.** Force continuum, use of non-lethal weapons.
- 24
- 25 c. **Developing community engagement.** Routine engagement and questioning, dealing
- 26 with community requests for assistance, dealing with petty crime.
- 27
- 28 d. **Developing site exploitation procedures and techniques.** Preservation of a scene for
- 29 evidentiary purposes, identification of persons or items of potential interest for
- 30 exploitation (as evidence or for intelligence value), tactical questioning, detainee
- 31 handling procedures, evidence collection and handling.
- 32
- 33 e. **Cooperating with host nation and/or international law enforcement agencies.**
- 34 Understanding the priorities, perspectives, capabilities, and limitations of agencies likely
- 35 to be present in the area of operations.
- 36 **7. Limitations.** Given the expeditionary nature of Marine operations and the likely security
- 37 rather than law enforcement mission of deployed units, not all police procedures are directly
- 38 applicable. The following is a list of some of the limitations to be considered in adapting police
- 39 techniques to the Marine unit's operational environment:

- 1 a. In the deployed environment, a LEP cannot be expected to develop the same level of
2 intuitive understanding and familiarity with their environment that they would have while
3 operating in their agency in the US LEPs, like Marines, will need to overcome language
4 and cultural barriers and the perception by the locals that they are “outsiders”.
- 5
- 6 b. Any adaptation of law enforcement TTPs to Marine operations must account for the need
7 to deal with a level of violence or threat of violence that can rapidly escalate to levels
8 exceeding those regularly faced by law enforcement officers in the domestic
9 environment.

10 **8. Enhancing Marine Unit Operations and Targeting by Adaptation of Law**

11 **Enforcement Techniques.** A LEP can provide skills and perspectives that may enhance the
12 effectiveness of the unit’s procedures for planning, conducting, and coordinating operations.
13 The range of actions taken to deal with threats in complex environments (covert, networked, and
14 supported by the conduct of criminal activity) can be expanded to include criminal prosecution
15 and possibly wider action to counteract criminal activity.

16 **9. Law enforcement perspective.**

- 17 a. “Crime” is an activity that will have some degree of prevalence (although in varying
18 types and intensities) in all societies. Rather than “defeating” crime, law enforcement
19 activity will seek to detect and deter crime, mitigate its effects and may take steps to
20 address underlying causes.
- 21
- 22 b. In “targeting” specific categories of crime or known criminal networks or groups, law
23 enforcement may take more of an investigative approach, using a task force or operation
24 to coordinate a range of measures (including law enforcement activity, prosecution,
25 community engagement, and public information) to disrupt criminal activity and bring to
26 justice those responsible for it.
- 27
- 28 c. Law enforcement operations may require the use of force, but it is rarely the intention of
29 their operations to resort to force.

30 **10. Methods.** A LEP with experience in police management or task force investigations can
31 be expected to contribute to the unit’s overall operational planning efforts in the following ways:

- 32 a. **Advice on management of patrolling programs.** Use of patrol presence to address
33 security “hotspots”, coordinating patrol activity with targeting activity and community
34 engagement programs, develop patrolling patterns.
- 35
- 36 b. **Advice on community engagement activity.** Adaptation of community oriented
37 policing models, use of public information, establishing and managing mechanisms for
38 community to report security concerns, promotion of “neighborhood watch”-type

1 programs within the community, development of information operations messaging to
2 support operational efforts.

3
4 **c. Advice on targeting persons of interest and dealing with covert, networked threats.**

5 Linking intelligence to targeting efforts by the application of investigative approaches,
6 consideration of and planning for the possible prosecution of targets in the criminal
7 justice system, use of information operations, coordinating disruption of threat group
8 finances.

9
10 **d. Facilitate cooperation with international and host nation law enforcement agencies.**

11 Advice on the conduct of combined/coordinated operations, facilitation of liaison.

12 **11. Limitations.** The following are some of the limitations that may be relevant for the
13 adaptation of law enforcement operations and targeting approaches:

14 a. Depending on the nature of the unit’s mission, the unit may not be authorized or able to
15 apply community engagement programs to address underlying causes of security issues.
16 In some cases, the Marine unit may be able to address these causes only through advice
17 and support to law enforcement agencies in the area of operations.

18
19 b. The operational environment and relatively short tour of the Marine unit will mean the
20 unit cannot expect to build the levels of community trust that the effectiveness of some
21 law enforcement approaches rely upon.

22
23 c. The ability to use prosecution as an end state in the targeting process will be limited by
24 the capacities of the relevant judicial and prosecutorial agencies and the effectiveness of
25 the corrections system.

26 **12. Incorporation of Police Perspectives and Techniques to Enhance Intelligence**
27 **Collection and Analysis Procedures in Support of Intelligence-Led Operations.** The

28 experience and perspectives that a LEP has gained over the course of a law enforcement career
29 should yield additional benefits to the conduct of intelligence-led operations by the unit.

30 Particular benefits may come from the adaptation of police intelligence collection and analysis
31 techniques and adapting an investigative operations approach to the targeting process.

32 **13. Law enforcement perspective.**

33 a. A primary function of police intelligence is to support the investigative and prosecutorial
34 process. This can be contrasted with military intelligence focus on supporting decisions
35 over the allocation and tasking of resources. It is recognized that some elements of police
36 intelligence - such as computer statistics and hot spot analysis - follow the “military”
37 intelligence model described here. Conversely, military intelligence, especially in COIN
38 operations, is increasingly using network analysis. However, the purpose of this
39 discussion is to highlight some of the general differences in perspective between the

1 military intelligence and police intelligence communities). In this respect, police
2 intelligence may tend to focus on establishing the facts of past events whereas military
3 intelligence will often be focused on making assessments of likely future threat intent,
4 capability, and activity.

- 5
- 6 b. Police intelligence, with its focus on individuals (rather than “threats” in general) and
7 evidence, usually has a greater reliance on information from human domain than on more
8 technical means compared to the US military. The analysis of networks and associations
9 between individuals (sometimes as a part of very complex networks) is therefore an
10 important aspect of police intelligence.

11 14. **Methods.** LEPs may be able to contribute to the enhancement of a Marine unit’s
12 intelligence collection and analysis in the following ways:

- 13 a. **Information from human sources.** Advice on managing community contacts; advice
14 on conducting tactical questioning, interviews and interrogation (see limitation below);
15 facilitating coordination with host nation law enforcement and related agencies.
- 16 b. **Exploitation of material from incident scenes.** Material may include weapons,
17 ordnance, explosives, documents, forensic evidence, or other items. Exploitation may
18 include: use as evidence, supporting the targeting of individuals, identifying sources of
19 material or components (for IEDs, etc), and supporting force protection (by identifying
20 friendly force vulnerabilities); handling material in accordance with evidentiary
21 requirements (including chain of evidence).
- 22 c. **Use of criminal intelligence sources.** Facilitate contact with other international law
23 enforcement entities in theater, use of forensic information, facilitating links to criminal
24 intelligence information in the US (such as fingerprint, warrant and other databases) and
25 internationally (such as INTERPOL).
- 26 d. **Application of investigative approaches in the use of intelligence to support**
27 **targeting.** Identification of “leads” and following them through to resolution; focus on
28 individual persons of interest and building a picture of their activities and relationships to
29 other persons.
- 30 e. **Network analysis.** Use of analytical tools and methods to understand organized criminal
31 groups, gangs and other networks; use of tools and methods to track financial
32 transactions.
- 33 f. **Pattern analysis.** Identification of “hotspots”, crime pattern analysis, computer statistics
34 (COMPSTAT) modeling.
- 35 g. **Assessment of host nation law enforcement and rule of law agencies.** Assessment of
36 capabilities, effectiveness, indications of corruption, political influence.

37 15. **Limitations.** The following are some of the limitations that may be relevant for the
38 application of police intelligence methods in the deployed military environment:

- 1 a. The LEP will need to recognize that primary purpose of military intelligence is to support
2 timely decision-making by military commanders and their staff, often based on
3 intelligence that is incomplete. In this environment, seeking intelligence with the degree
4 of certainty needed to support the “proving” of criminal complicity will often not be
5 appropriate.
- 6 b. Despite an extensive career as a police investigator or in criminal intelligence, the LEP
7 may not have familiarity with military intelligence assets or training in military
8 intelligence procedures.
- 9 c. The use of national security classifications and caveats in the military intelligence system
10 is likely to create challenges from the perspective of law enforcement professional. A
11 LEP may not be able to exploit this material using familiar investigative methods due to
12 the inability to share this information with contacts outside the community of cleared
13 personnel.
- 14 d. Due to the threat environment and specific Department of Defense policy prohibitions,
15 the LEP will be unlikely to directly manage some important collection methods often
16 employed in police operations. This includes the ability to maintain source networks in
17 the community, the employment of undercover sources and direct participation in
18 detainee interviews and interrogations. (Note that current Department of Defense
19 policies specifically forbid the participation of LEPs in interrogations and managing
20 sources). To the extent that the unit has the ability to conduct these activities with
21 organic or assigned assets, the LEP will usually only be able to advise on its conduct,
22 without direct participation.
- 23 e. A LEP will usually not have direct access to the databases and similar tools that are
24 available to a civilian law enforcement agency. Given that these databases would provide
25 information (about people, vehicles, etc) for the domestic environment, they would have
26 limited relevance on operations, but the lack of equivalent systems will mean LEPs will
27 need to adapt their methods.

28 16. **Improving Unity of Effort.** A LEP can be a useful asset to assist a unit in developing
29 unity of effort with other agencies in the unit’s AO and within the operational theater. A LEP’s
30 contribution in this area will be particularly useful in coordinating effort with law enforcement
31 and related agencies (judicial, prosecutorial, corrections and capacity-building agencies).
32 Furthermore, a LEP will have experience and education outside the military system and a
33 different perspective on the conduct of operations. Therefore, a LEP can be useful in assisting
34 the unit’s understanding of the priorities of civilian agencies and facilitating communication and
35 cooperation with them.

36 17. **Law enforcement perspective.**

- 37 a. The operation of a criminal justice system relies on effective communication and
38 cooperation between its law enforcement, judicial and corrections components. LEPs, as
39 experienced law enforcement professionals, can be expected to have familiarity with

1 dealing with personnel from the other components of the criminal justice system as well
2 as with law enforcement professionals from other agencies. They also require familiarity
3 and cooperation with procedures that are compatible with the other elements of the
4 system.

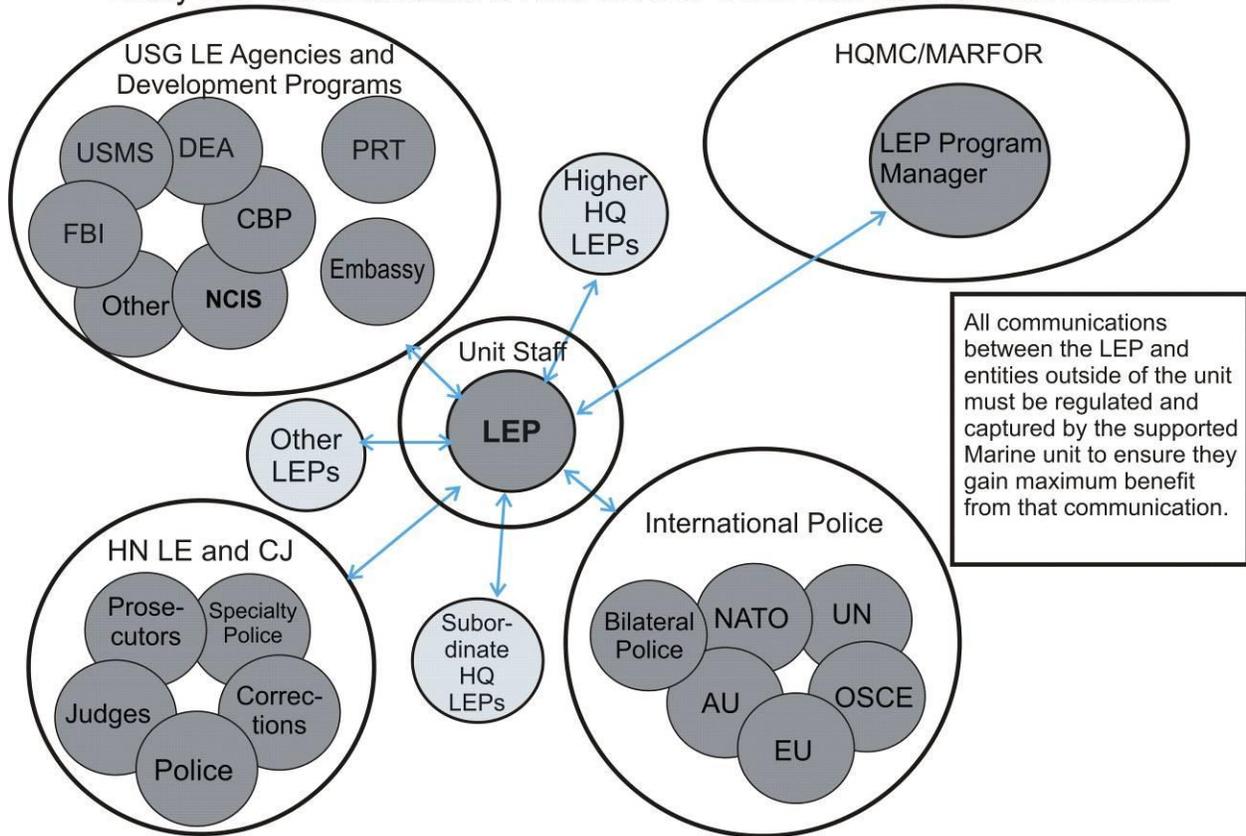
- 5 b. The practice of law enforcement operations often requires working with other civilian
6 agencies (such as community services, emergency services, transportation authority, and
7 major event planners). LEPs who have worked in the senior ranks of a law enforcement
8 agency should have experience working with the civilian leadership at federal, state, or
9 local level and cooperating with them on issues that may not all relate directly to
10 policing.

11 19. **Methods.** LEPs may be able to contribute to improving the Marine unit's ability to
12 achieve unity of effort with other agencies in the following ways:

- 13 a. **Facilitation of communications with LEPs at higher Headquarters (HQ) and**
14 **adjacent units.** Sharing of information with the wider network of LEPs in theater,
15 accessing specialist law enforcement advice (that may reside in an LEP assigned to
16 another unit), links to specialist units/offices within the theater that are likely to have
17 LEPs assigned.
- 18 b. **Communication with US law enforcement agencies and/or development programs.**
19 Helping the staff to identify the presence of these programs and to understand the
20 capabilities and implications for the AO, sharing information.
- 21 c. **Linkages with international police forces and capacity-building/institutional reform**
22 **programs.** Advice to the unit on the existence, mission, priorities, capabilities, and
23 limitations of international agencies, facilitation of communication with international
24 interim police forces.
- 25 d. **Assistance with the assessment of local law enforcement, judicial and correction**
26 **capabilities and procedure.** Expertise on humane procedures, advice on assessing
27 effectiveness of host nation institutions.
- 28 e. **Advice on potential support to host nation government institutions.** Security
29 needs/support for judicial and corrections institutions, advice on logistic support,
30 advice/mentoring of host nation law enforcement personnel in investigative
31 methods/procedures.
- 32 f. **Advice on adapting unit TTPs/Standard Operating Procedures (SOPs) to allow**
33 **compatibility with criminal justice system.** Understanding criminal procedure codes,
34 advice on SOPs for: managing incident sites, handling detainees, handling
35 captured/recovered material (to allow possible use as evidence).
- 36 g. **Coordination with local prosecutors.** Assistance in the compilation of
37 information/evidence to allow building case files.

- 1 20. **Limitations.** The following are some of the limitations in the employment of LEPs in
 2 facilitating unity of effort with other agencies:
- 3 a. A LEP should not be designated as a Liaison Officer as this implies the LEP has the
 4 authority to speak on behalf of the commander of the unit. However, LEPs may advise
 5 Marines who are working as Liaison Officers to law enforcement agencies. When a LEP
 6 is permitted to maintain communications directly with other agencies, it should be made
 7 clear to those agencies that the LEP is not a formal liaison officer from the unit and that
 8 the LEP has no law enforcement authority within the AO.
- 9 b. A LEP's advice on criminal justice systems will be based on their experience working in
 10 the US, which may be markedly different from the host nation criminal justice system.
 11 The LEP will need to be aware of these differences.
- 12 c. Evidence used in prosecutorial procedures will need to be subject to scrutiny by the court.
 13 This will preclude the use of information obtained by classified means.
- 14 21. Figure 6-1 shows the possible range of communication relationships that a LEP may
 15 develop. Regardless of whether the unit wants to encourage or limit any of these relationships,
 16 the unit will need to ensure that protocols are in place to regulate them.

17 Likely LEP Communications Network with Other Law Enforcement Entities



18
 19

1 **Figure 6-1. Network of possible communications between a LEP and other law**
2 **enforcement entities in a deployed environment**

3 22. **LEP Task Analysis.** Consideration of LEP tasks should be completed as a part of the
4 unit's planning process for developing their overall operational design to ensure best integration
5 of LEP efforts with the unit's operational design. This will help identify how LEP contributions
6 (discussed in the previous section) can best support that design, and which contributions are most
7 appropriate given the specific capabilities of the assigned LEPs. LEPs should be involved in this
8 process if available.

9 23. Once the unit's planning process has developed missions, tasks, roles and/or priorities for
10 each subordinate unit, attached unit and element of the headquarters, the following
11 considerations should be made:

- 12 a. Which missions, tasks and roles require or could benefit from law enforcement expertise?
13
14 b. Which subordinate elements or attached units (including the LEPs) or collocated agencies
15 can feasibly, acceptably and suitably provide this expertise?
16
17 c. If one or several assigned LEPs are feasible, acceptable and suitable for this support, how
18 can it be provided? Can the LEPs provide this support by training, advising and/or
19 mentoring Marines? Or does it require direct participation by LEPs? Will the LEPs
20 operate as individuals or as a team? [These elements of consideration should draw on the
21 assessment of LEP capability and effects made in Stage 2].
22
23 d. What other tasking could be developed for the LEPs to enhance the effectiveness of unit
24 operations?
25
26 e. What is the relative urgency and potential advantages to the unit's operations by
27 assigning LEPs these tasks?

28 24. **Concept for Employment of Law Enforcement Expertise.** The LEP's role in the
29 unit's operational plan can be expressed in terms of an overarching "Concept for Employment of
30 Law Enforcement Expertise" (this is akin to a Concept for the Employment of other Battlefield
31 Operating Systems). This should outline the respective contributions sought from the
32 employment of the assigned LEPs and set priorities.

33 25. This concept will drive the development of specific tasks for the LEPs, either as
34 individuals or as a team. The specific set of tasks for particular LEPs in support of a unit with a
35 given mission in a distinct operational environment will be determined most effectively in the
36 context of the unit's wider planning process. Hence, no standing set of LEP tasks should be
37 considered definitive. However, for illustrative purposes, Annex A provides a list of the types of
38 tasks that a LEP may be able to conduct on operations and the types of skills/techniques that a
39 LEP may be able to introduce into the unit's operational repertoire. No one LEP can be expected

1 to have the expertise required to perform all of these tasks and this should not be considered as a
2 list of tasks that are all appropriate for all LEPs to conduct on all operations. Conversely, a unit
3 should not limit the range of tasks for their assigned LEPs to only those that are suggested in this
4 list.

5 **26. Categories of LEP employment.** The unit will need to clarify any limitations on the
6 degree of involvement of the LEP in each assigned task. These limitations will need to conform
7 to standing policies and specific orders regarding the employment of LEPs. In general, there are
8 four categories of employment for LEPs that will need to be considered and clarified for each
9 task:

- 10 a. **Training.** In a training task, a LEP is involved in the design, planning and/or conduct of
11 formal training of Marines.
12
- 13 b. **Advisory.** In an advisory task, a LEP advises Marines (or representatives of other
14 agencies) on elements of planning and conduct of activities that the LEP will not be
15 involved in. A Marine receiving advice from a LEP can accept or reject that advice at
16 their own discretion and must continue to conform with all orders and policies from their
17 chain of command.
18
- 19 c. **Mentoring.** In a mentoring task, a LEP accompanies Marines (or representatives of other
20 agencies) in the conduct of activities in order to provide advice, support and feedback.
21
- 22 d. **Direct Participation.** In a direct participation task, a LEP actually conducts the activity.
23

24 **27. Involvement of the LEP in Pre-Deployment Preparation.** During the process of
25 determining the concept for employment of LEPs, the unit will in many cases identify tasks to be
26 conducted by LEPs prior to the unit's deployment. This may include provision of training for the
27 LEP and their involvement in the unit's pre-deployment planning and training cycle.
28 Consideration may also be given to the use of LEP on any PDSSs of the area of operations.
29 Annex C of this MCIP provides further guidance on these issues.

30

31 **Chapter 7. STAGE 4 - ESTABLISH STAFF RELATIONSHIPS TO** 32 **SUPPORT THE EMPLOYMENT OF LEPs**

33 **1. Key Law Enforcement Professional Relationships within the Unit.** Determining
34 appropriate command and control relationships between the LEP and elements of the unit will be
35 important in ensuring that LEPs are employed most effectively and in a manner that supports
36 (and does not interfere with) the operational plan and unit procedures. There are no definitive
37 solutions to where LEPs should be employed within a unit. However, there are principles that
38 should shape the determination of where to employ LEPs which are:

- 1
- 2 a. A LEP is a staff advisor and should not be expected to fulfill command or principal staff
- 3 responsibilities within a unit.
- 4 b. The expertise of an assigned LEPs should be leveraged in order to provide the broadest
- 5 possible range of perspectives to the decision-making of the commander; however, the
- 6 advice given should be integrated into the military staff effort and planning processes of
- 7 the unit, which remain the primary conduit of advice to the commander.
- 8 c. The positioning of the LEP within the unit and/or headquarters staff should be flexible
- 9 enough to allow them to support the widest possible range of staff or subordinate unit
- 10 functions. This suggests that placement in the commander's special staff would be the
- 11 most appropriate in many circumstances.
- 12 2. **Unit commander.** A primary function of a LEP is to support the decision-making of the
- 13 unit commander. Hence, the LEP should normally have direct access to the commander, but this
- 14 access should work in concert with the LEP's support for the staff processes that ensure the
- 15 advice to the commander is institutionalized and disseminated throughout the staff.
- 16
- 17 3. **Executive Officer or Assistant Chief of Staff.** The LEP, if employed as a special staff
- 18 officer, will likely be given his day-to-day tasks by the executive officer, assistant chief of staff
- 19 or other officer responsible for staff coordination. It is imperative that the LEP and the executive
- 20 officer maintain effective communications to ensure that the LEP is utilized at an appropriate
- 21 level. The executive officer, in conjunction with the Regimental Combat Team /Battalion
- 22 Sergeant Major, can also assist the LEP with any logistical or administrative issues.
- 23
- 24 4. **Operations staff.** The S/G/J-3 staff remains the commander's principal organization for
- 25 planning, coordinating, prioritizing and integrating all unit operations. The operations staff will
- 26 also synchronize the intelligence, surveillance and reconnaissance plan. Hence, the S/G/J-3 will
- 27 be one of the most important relationships that a LEP will need to have within the unit staff. A
- 28 LEP will need to coordinate his movements and activities with the operations staff. The
- 29 following discussion outlines some noteworthy elements of the LEP's relationship with the
- 30 Operations staff:
- 31
- 32 a. The LEP can influence the planning and conduct of unit operations by participation in the
- 33 Operational Planning Teams, the Counter-IED Cell and other staff processes that are
- 34 coordinated by the S-3 staff. Also, the operations staff will usually have oversight of
- 35 training conducted by the unit; therefore LEP training initiatives and recommended SOP
- 36 amendments will need to be cleared through the operations staff.
- 37
- 38 b. While the LEP will have varying degrees of input to these processes, it would benefit the
- 39 unit commander and operations officer to hear the LEP's unique and relevant perspective

1 on the totality of unit operations based on those operations' effects on counter-network
2 operations and the community as a whole.

3
4 **5. Intelligence staff.** The LEP's relationship with the S/G/J-2 intelligence staff is also very
5 important to the effective conduct of one of the LEP's key roles. On the one hand, the
6 intelligence staff provides a conduit by which information received by the LEP (through contacts
7 with LEPs assigned to other units or from contact with other law enforcement or justice system
8 personnel and agencies in the AO) can be incorporated into the unit's intelligence picture.
9 Conversely, a LEP can provide another perspective that can contribute to all phases of the
10 intelligence cycle, such as providing amplifying information Marines who conduct tactical
11 questioning, interrogations and source operations and by contributing additional perspective to
12 the analysis of information. The following discussion outlines some salient elements of the LEP
13 relationship with the intelligence staff:

- 14
- 15 a. The LEPs assigned to a unit should have a clearance level and authority that permits them
16 to access intelligence matter handled by the unit and to participate in or contribute to the
17 Intelligence Preparation of the Battlefield and other analytical processes.
 - 18
 - 19 b. While LEPs are not permitted to run human source networks, possible experiences in
20 doing this in domestic settings may give a unique perspective to advise Human
21 Intelligence Exploitation Team leaders and patrol commanders on how to best leverage
22 these sources to meet commander intelligence requirements.
 - 23
 - 24 c. While LEPs cannot conduct interrogations themselves (they are permitted to conduct
25 tactical questioning), Marines will benefit from the TTPs that civilian law enforcement
26 organizations use to obtain intelligence from suspects and witnesses from the advice of
27 LEPs.

28 **6. Provost Marshal.** At levels higher than battalion, the LEP will need to coordinate his
29 efforts and advice with that of the Provost Marshal staff. The Provost Marshal will be the
30 primary advisor to the commander on issues of detention and a likely focal point for liaison with
31 coalition military police and with USG, host national and international law enforcement
32 representatives in the AOR, all of which should be of interest to the LEP. The Provost Marshal
33 staff should be the primary mechanism by which the LEP can advise the commander on these
34 issues.

35
36 **7. Staff Judge Advocate (SJA).** The LEP will additionally need to coordinate his efforts
37 and advice with that of the SJA staff. A LEP may able to advise and assist the SJA in
38 coordinating the relationship with the criminal justice system and ensuring that the unit's
39 detention, evidence handling and related procedures are consistent with allowing transition of
40 detainees into the host nation civil criminal system where appropriate.

1 8. **Participation in Headquarters Boards/Working Groups.** As a part of the unit staff
2 who has expertise relevant to several staff areas, a LEP may be able to make a valuable
3 contribution to many coordination boards convened by the headquarters. The following is a
4 generic list of the types of boards/working groups that may exist at various command levels to
5 which the LEP could be considered for participation:
6

- 7 a. Biometrics Working Group.
- 8 b. Collection Working Group.
- 9 c. Counter Enemy TTP Working Group (generic).
- 10 d. Counter IED Cell.
- 11 e. Counter Narcotics Working Group.
- 12 f. Fires and Effects Board.
- 13 g. Host Nation Security Forces Working Group.
- 14 h. Information Operations Working Group.
- 15 i. Operational Planning Team.
- 16 j. RoL Working Group.
- 17 k. Targeting Working Groups (kinetic and non-kinetic).

18 9. **Subordinate and attached units.** In addition to the relationship with the headquarters
19 staff, a LEP may also be assigned temporarily to support subordinate units. The specifics of the
20 LEPs enduring relationship with the headquarters staff branches will need to be determined
21 before the LEP deploys with the subordinate unit. The following is a sample of the ways in
22 which LEP may support subordinate or attached units:
23

- 24 a. A battalion may delegate one (or several) of its assigned LEPs to directly support the
25 operations of a company or even a platoon. The circumstances under which this may
26 occur could be where the subordinate unit is responsible for a remote area of
27 responsibility and so requires intimate support or if the subordinate unit has a specific
28 task that requires expertise in liaison with or working alongside host nation or
29 international law enforcement or rule of law agencies. Such a delegation may be made for
30 the entire course of a deployment or for a shorter duration in support of a specific
31 operation.
- 32
- 33 b. LEPs may also be delegated (temporarily or on a more enduring basis) in support of
34 assigned specialist assets that could benefit from LEP expertise. An example of this may

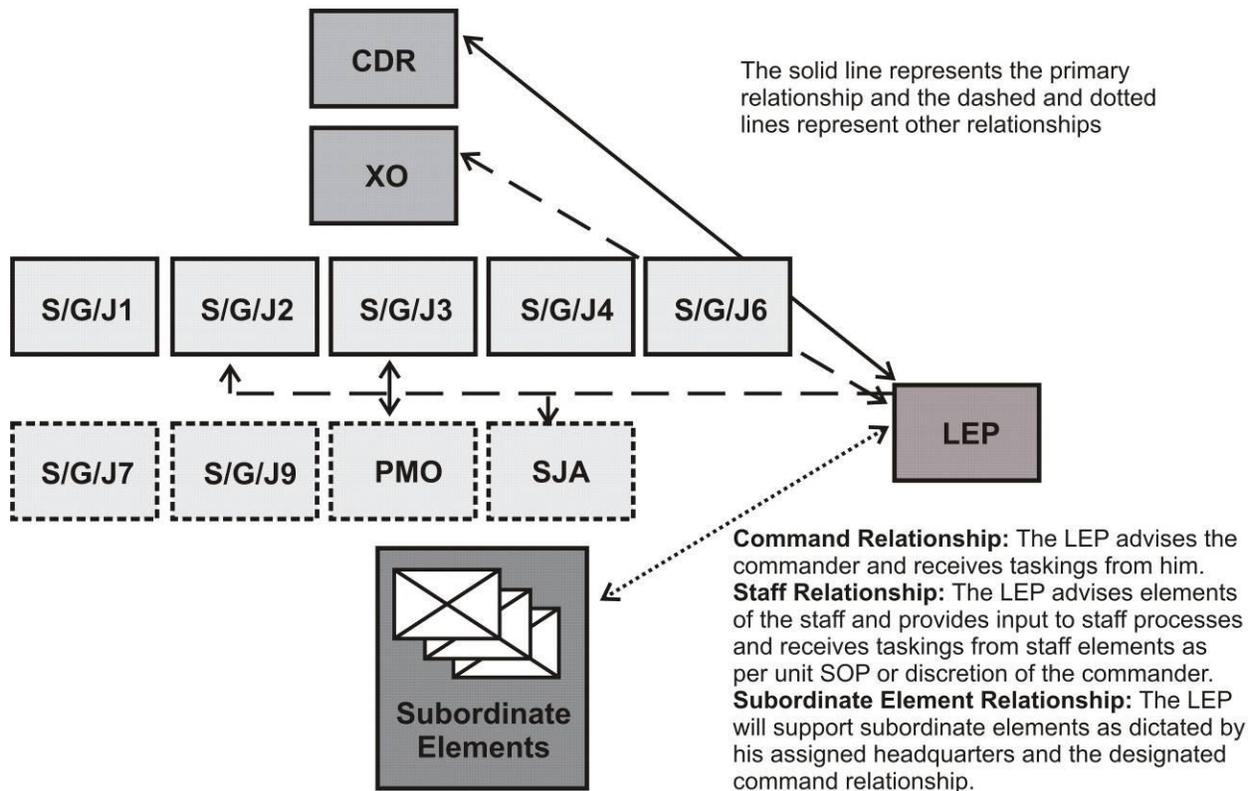
1 be the delegation of a LEP to support a HUMINT Exploitation Team that is working for a
2 battalion. However, consistent with all extant DoD and/or service policies regarding the
3 employment of LEPs and the conduct of human intelligence operations, LEP support to a
4 Human Intelligence Exploitation Team will often be limited to advising only.
5

6 c. At regiment and higher levels of command, LEPs may be employed as or as a part of fly-
7 away teams to deal with specific issues that require investigative skills or other law
8 enforcement expertise. For example, these teams may be used to support analysis of
9 threat TTPs across a number of subordinate areas of operation or to review procedures for
10 cooperation with host nation agencies by subordinate units.
11

12 d. Specialist task groupings for dealing with law enforcement-related issues may benefit
13 from LEP expertise. Examples of these include organizations such as the Joint
14 Prosecution and Exploitation Center (JPEC – a fusion center for synchronizing
15 intelligence and prosecution efforts); the Joint Expeditionary Forensic Facility (JEFF –
16 located within JPEC); the Counter-IED Operations Integration Center (COIC) and
17 Combined Explosive Exploitation Cell (CEXC) seen in Iraq and Afghanistan or similar
18 organizations that are likely to be established in other theaters. LEPs working in these
19 types of organization are likely to be assigned to them for the duration of the LEP's
20 operational deployment.
21

22 10. Figure 7-1 depicts the likely set of key relationships that a LEP will need to develop
23 within a unit.
24

LEP Relationships with Elements of the Command and Staff



- 1
- 2
- 3
- 4

Figure 7-1. Depiction of likely key relationships between a LEP and elements of the supported unit.

- 1 Table A-1 is illustrative of the types of tasks that a LEP may be able to conduct and the types of
- 2 skills/techniques a LEP may be able to introduce into a unit’s operational repertoire.

Category	Task	Train	Advise	Mentor	Directly Participate
“Police on the beat” street skills	Adapt law enforcement TTPs to identify threats and suspicious activity among the population (e.g. identifying signs of concealed weapons and contraband, indications of criminal activity & intent)	X	X	X	X
	Adapt law enforcement urban patrolling TTPs	X	X	X	
	Adapt law enforcement tactical questioning TTPs	X	X	X	X
	Develop/adapt TTPs for handling incidents of petty crime in AO	X	X	X	X
	Adapt law enforcement rules of engagement techniques (e.g. graduated options/force continuum, employment of non-lethal weapons)	X	X	X	
	Adapt law enforcement techniques for building, vehicular and personnel searches (e.g. identifying suspicious signs, visual inspection, detailed inspection techniques)	X	X	X	X
	Adapt police techniques and equipment for covert surveillance (e.g. SOPs for their use and management, cognizant of legal and other restrictions)	X	X	X	X
	Adapt techniques for handling community contacts to develop intelligence	X	X	X	
	Adapt law enforcement patrol and incident debriefing methods and techniques	X	X	X	X

Category	Task	Train	Advise	Mentor	Directly Participate
“Police on the beat” street skills (cont.)	Recover, store and arrange exploitation of captured equipment and documents. Adapt procedures to be consistent with relevant chain of custody	X	X	X	X
	Adapt law enforcement counter-surveillance and counter-reconnaissance TTPs	X	X	X	
	Assist ground units in developing creative ways to communicate the “Cop on the beat” mentality so they can deliver this capacity to the HN Police	X	X	X	
	Adapt law enforcement techniques for crime scene preservation into site exploitation TTPs in order to ensure compatibility with evidence and forensic exploitation procedures	X	X	X	X
	Determine and exploit evidence of document forgery	X	X	X	X
	Adapt law enforcement uses of biometrics for recognition, exploitation and security	X	X	X	X
	Adapt law enforcement community engagement TTPs	X	X	X	
	Adapt police community engagement techniques and integrate them into CMO, IO and other plans (e.g. use of media, establishment/management of alert/reward programs, outreach programs, involvement in public events)		X	X	X

Category	Task	Train	Advise	Mentor	Directly Participate
Investigative skills	Develop techniques for exploiting information potential of detainees, including use of judicial and/or prosecutorial action (e.g. “plea bargaining”, gaining informants)	X	X	X	
	Adapt law enforcement TTPs to investigate the locations, activities and associations of specific individuals	X	X	X	X
	Adapt law enforcement interview and interrogation techniques and assist with interview strategies and other investigative techniques in effort to optimize intelligence exploitation of detainees	X	X	X	
	Exploit documents, material, locations, property records, and collection and/or analysis of financial records	X	X	X	X
	Recover, store and arrange exploitation of captured equipment and documents. Adapt procedures to be consistent with relevant chain of custody	X	X	X	X
	Contribute law enforcement expertise to unit targeting (e.g. perspective on assessment of targets and appropriate lethal/nonlethal engagement; target locating; coordination with law enforcement/prosecution agencies; assessment of effects, local attitudes and crime situation)	X	X	X	X
Category	Task	Train	Advise	Mentor	Directly Participate

Investigative skills (cont.)	Assist in criminal investigations of violations of HN law	X	X	X	
	Adapt law enforcement counter-criminal network TTPs to defeat IED networks and other criminal networks	X	X	X	X
	Adapt law enforcement TTPs to conduct counter-narcotics operations	X	X	X	
	Conduct criminal enterprise analysis to include analytical and investigative assessments	X	X	X	X
	Integrate criminal enterprise analytical and investigative skills into unit staff procedures (e.g. through interface with unit Intelligence and Operations Officers).	X	X	X	X
	Identify emerging criminal enterprise trends to assist in targeting process	X	X	X	X
	Conduct, or make recommendations for, additional/follow-on investigations to support intelligence and/or tactical analysis	X	X	X	X
	Recommend potential RFIs to facilitate reach-back into US domestic law enforcement, DOD and other government agency databases	X	X	X	X
	Develop methods and SOPs to detect and interdict criminal activities associated with the funding, sourcing, and emplacement of IEDs and other illicit activities	X	X	X	X
	Category	Task	Train	Advise	Mentor

Investigative skills (cont.)	Adapt law enforcement tactical questioning TTPs	X	X	X	X
	Adapt law enforcement patrol and incident debriefing methods and techniques	X	X	X	X
	Adapt law enforcement uses of biometrics for recognition, exploitation and security	X	X	X	X
	Adapt police community engagement techniques and integrate them into CMO, IO and other plans (e.g. use of media, establishment/management of alert/reward programs, outreach programs, involvement in public events)	X	X	X	
	Utilize investigative techniques to support analysis of tactical incidents	X	X	X	X
Crime analysis skills	Utilize law enforcement analytical techniques (e.g. hotspot analysis, COMPSTAT analysis)	X	X	X	X
	Conduct threat analysis – network and association analysis, financial transactions, criminal support networks, links to criminal motivations	X	X	X	X
	Identify and analyze black markets, smuggling and other elements of illicit economy	X	X	X	X
	Develop strategies to detect and disrupt patterns of criminal activity and security incidents	X	X	X	X
Category	Task	Train	Advise	Mentor	Directly Participate
Crime analysis skills	Assess the likely threat and community reactions to	X	X	X	X

(cont.)	targeted operations				
	Analyze organized criminal groups, gangs, other underground networks	X	X	X	X
	Adapt law enforcement TTPs to investigate the locations, activities and associations of specific individuals	X	X	X	X
	Adapt law enforcement TTPs to conduct counter-narcotics operations	X	X	X	X
	Conduct criminal enterprise analysis to include analytical and investigative assessments	X	X	X	X
	Integrate criminal enterprise analytical and investigative skills into unit staff procedures (e.g. through interface with unit Intelligence and Operations Officers)	X	X	X	X
	Identify emerging criminal enterprise trends to assist in targeting process	X	X	X	X
	Adapt law enforcement interview and interrogation techniques and assist with interview strategies and other investigative techniques in effort to optimize intelligence exploitation of detainees	X	X	X	
	Recommend law enforcement techniques to exploit illegal activity, suspects and sources	X	X	X	X
	Category	Task	Train	Advise	Mentor

Crime analysis skills (cont.)	Assist in the compilation and interpretation of information utilizing link and flow analysis, crime scene behavioral methods, statistics, patterns and motives, and predictive pattern techniques and analysis	X	X	X	X
	Conduct, or make recommendations for, additional/follow-on investigations to support intelligence and/or tactical analysis	X	X	X	X
	Recommend potential RFIs to facilitate reach-back into US domestic law enforcement, DOD and other government agency databases	X	X	X	X
	Assess the responsiveness of criminal enterprises to military operations and combine elements of information to form conclusions, and recommendations as part of MCPP	X	X	X	X
	Develop methods and SOPs to detect and interdict criminal activities, including those associated with the funding, sourcing, and emplacement of IEDs	X	X	X	X
	Adapt law enforcement uses of forensics	X	X	X	X
	Adapt law enforcement uses of biometrics for recognition, exploitation and security	X	X	X	X
	Adapt law enforcement TTPs on HUMINT intelligence collection methods	X	X	X	

1

Category	Task	Train	Advise	Mentor	Directly Participate
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Evidence management skills	Determine and exploit evidence of document forgery	X	X	X	X
	Exploit documents, materials, locations, property records, collection/analysis of financial records	X	X	X	X
	Recover, store and arrange exploitation of captured equipment and documents	X	X	X	X
	Manage incident site to obtain exploit evidence/information from site remnants	X	X	X	X
	Adapt law enforcement techniques for crime scene preservation into site exploitation TTPs in order to ensure compatibility with evidence and forensic exploitation procedures	X	X	X	X
	Adapt law enforcement site exploitation TTPs	X	X	X	X
	Adapt law enforcement uses of forensics for evidence and intelligence purposes	X	X	X	X
	Adapt law enforcement uses of biometrics for recognition, exploitation and security	X	X	X	X
	Develop detainee packages (e.g. case files) to permit transition to justice system	X	X	X	X
	Leverage forensic assets to tie individuals to criminal events and support analysis of these events	X	X	X	X

1

2

3

Category	Task	Train	Advise	Mentor	Directly Participate
Law enforcement operational concepts	Establish and operate systems for crime/security reporting by populace (e.g. 911, tips hotlines, online, "police station" presence)	X	X	X	X
	Adapt law enforcement crowd control techniques (e.g. planning for major public event, event liaison, event registration, and human/vehicular traffic control)	X	X	X	X
	Utilize law enforcement analytical techniques (e.g. hotspot analysis, COMPSTAT analysis)	X	X	X	X
	Develop strategies to detect and disrupt patterns of criminal activity and security incidents	X	X	X	X
	Develop strategies for disrupting smuggling	X	X	X	X
	Adapt police techniques and equipment for covert surveillance (e.g. SOPs for their use and management, cognizant of legal and other restrictions)	X	X	X	
	Adapt police community engagement techniques and integrate them into CMO, IO and other plans (e.g. use of media, establishment/management of alert/reward programs, outreach programs, involvement in public events)	X	X	X	X
	Adapt law enforcement techniques to establish, maintain and exploit informant networks	X	X	X	

Category	Task	Train	Advise	Mentor	Directly Participate
Law enforcement operational concepts (cont.)	Utilize law enforcement concepts for planning operations that deal with enclaves of specific demographic interest	X	X	X	X
	Contribute law enforcement expertise to unit targeting (e.g. perspective on assessment of targets and appropriate lethal/nonlethal engagement; target locating; coordination with law enforcement/prosecution agencies; assessment of effects, local attitudes and crime situation)	X	X	X	X
	Develop law enforcement capability of host nation personnel		X	X	
	Coordinate activity/operations with host nation law enforcement personnel/organizations		X	X	
	Adapt law enforcement techniques/methods to disrupt illicit networks	X	X	X	X
	Adapt law enforcement techniques/methods to deny re-growth of networks	X	X	X	X
	Contribute law enforcement expertise to unit planning processes (e.g. MCPP and IPB)	X	X	X	X
	Adapt LE intelligence collection methods	X	X	X	X
	Advise commander and staff on LE and related issues	X	X	X	X
	Review unit tactical SOPs and adapt law enforcement procedures/techniques where appropriate	X	X	X	X
	Utilize investigative techniques to support analysis of tactical incidents	X	X	X	X

Category	Task	Train	Advise	Mentor	Directly Participate
Law enforcement operational concepts (cont.)	Attend unit Pre-Deployment Site Survey (PDSS)		X	X	X
Detention procedures and prisoner handling	Adapt law enforcement techniques for detainee handling (e.g. at point of capture, in transit) to ensure necessary compatibility with relevant justice system	X	X	X	X
	Ensure standards for detainee facilities are appropriately compatible with relevant justice system	X	X	X	X
	Develop detainee packages (e.g. case files) to permit transition to justice system	X	X	X	X
Management of patrolling program	Adapt police patrol management techniques (e.g. patrol patterns/tempo, control and reporting measures, urban patrolling considerations)	X	X	X	X
	Adapt law enforcement counter-surveillance/counter-reconnaissance techniques	X	X	X	X
Population protection and control techniques	Plan for the establishment, maintenance and enforcement of regulatory measures (e.g. identity cards, licenses, vehicle/weapon registration, dangerous goods control)	X	X	X	X
	Adapt law enforcement crowd control techniques (e.g. planning for major public event, event liaison, event registration, and human/vehicular traffic control)	X	X	X	X

1

Category	Task	Train	Advise	Mentor	Directly Participate
Population protection and control techniques (cont.)	Adapt law enforcement techniques for building, vehicular and personnel searches (e.g. identifying suspicious signs, visual inspection, detailed inspection techniques)	X	X	X	X
	Adapt law enforcement techniques for check point security and management	X	X	X	X
	Adapt law enforcement techniques for enforcement of curfews and other restrictive measures	X	X	X	X
	Adapt law enforcement rules of engagement techniques (e.g. graduated options/force continuum, employment of non-lethal weapons)	X	X	X	X
	Plan for the establishment and management of amnesty programs	X	X	X	X
Interaction with host nation RoL institutions	Provide assistance in building capacity of HN RoL institutions (e.g. expertise on organization and procedures related to police forces, court systems and penal facilities)	X	X	X	X
	Provide expertise on capability, competence, effectiveness, loyalty/partiality, corruption and human rights adherence by local host nation law enforcement, judicial or corrections system personnel	X	X	X	X
	Liaise with local host nation police (and other RoL) officials	X	X	X	X
	Assess the impact of political influence on law institutions	X	X	X	X

2

1

Category	Task	Train	Advise	Mentor	Directly Participate
Interaction with host nation RoL institutions (cont.)	Assess the extent, nature and cause of corruption in host nation agencies. Develop measures to counter its effects on unit operations	X	X	X	X
	Provide expertise on management, administration and logistics of host nation law enforcement agencies and assess likely impact on their operations. Include pay, conditions, equipment, weapon security, promotion and related issues	X	X	X	X
	Provide expertise to host nation personnel on practical implementation of criminal codes, procedure codes, etc		X	X	
	Establish and develop common SOPs to allow cooperation, coordination and communication with host nation law enforcement agencies (e.g. information sharing)		X	X	
	Coordinate emergency response procedures and capabilities with host nation and international law enforcement agencies		X	X	X
	Support vetting, credentialing, and accounting for host-nation police forces	X	X	X	X
	Inventory and assess police facilities, equipment and systems	X	X	X	X
	Support the training of host nation law enforcement personnel and organizations		X	X	

2

Category	Task	Train	Advise	Mentor	Directly Participate
Interaction with host nation RoL institutions (cont.)	Provide expertise on police command post/operations center procedures employed by host nation agencies		X	X	X
	Encourage adoption of effective, humane and just procedures by host nation law enforcement and related agencies		X	X	X
	Teach, Coach and Mentor ground units in creative ways to communicate the “Cop on the beat” mentality and ultimately deliver this capacity to the Host Nation Police.	X	X	X	X
	Preparation and documentation of evidence to support the transition of detainees/evidence into the host nation criminal justice system	X	X	X	X
	Develop relationships with HN police and RoL institutions	X	X	X	X
Interaction with other agencies/ organizations	Establish and develop common SOPs to allow cooperation, coordination and communication with international law enforcement agencies (e.g. information sharing and intelligence cooperation)	X	X	X	X
	Recommend potential RFIs to facilitate reach-back into US domestic law enforcement, DOD and other government agency databases	X	X	X	X

1

Category	Task	Train	Advise	Mentor	Directly Participate
Interaction with other agencies/ organizations (cont.)	Develop and maintain links with coalition analysis, exploitation and prosecution centers (e.g. JPEC, COIC, CEXC)		X	X	X
	Coordinate with LEA counterparts at higher, subordinate and adjacent units		X	X	X
	Communicate with other USG and international LE and RoL agencies/programs in theater	X	X	X	X
Specialty police skills	Plan for enforcement of customs/immigration/quarantine regulations	X	X	X	X
	Adapt police techniques and equipment for covert surveillance (e.g. SOPs for their use and management, cognizant of legal and other restrictions)	X	X	X	X
	Plan to provide security for court system (e.g. expertise on design and operation of courtrooms; security for personnel - judges, witnesses, defendants, lawyers, admin staff)	X	X	X	X
	Plan to provide security for the correction system (e.g. expertise on prisoner transportation; cell, building and compound design; prison management; prison riot control)	X	X	X	X
	Plan to conduct Protective Security Detail operations	X	X	X	X

2

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4

1 **Appendix B - COMPARISON OF MILITARY AND LAW ENFORCEMENT**
 2 **PERSPECTIVES ON ORGANIZATION AND OPERATIONS**

3 B-1. Despite some ostensible similarities as armed, uniformed representatives of the state,
 4 there are some important differences in the approaches to organization and operations between
 5 military services and law enforcement agencies. These can have an impact on the perspectives
 6 that representatives of each community may have when working on a common issue.
 7 Understanding these differences can help facilitate deeper levels of military-law enforcement
 8 cooperation and help a Marine unit recognize the applicability and limitations of law
 9 enforcement approaches/techniques to their operations.

10 B-2. The following table is a summary of some of the important differences between the
 11 military and law enforcement communities. It is intended to provide very broad guidance in
 12 attempting to understand the perspectives of the respective communities. However, it must be
 13 recognized that “military” and “law enforcement” are very broad terms and not all of the
 14 categorizations will apply equally to all services, agencies and subordinate elements. Differences
 15 in approach will also vary markedly in different countries.

16 Table B-2. Summary of differences between military and law enforcement communities.

	MILITARY PERSPECTIVE	LAW ENFORCEMENT PERSPECTIVE
Role	<ul style="list-style-type: none"> • Protection of state/nation from external aggression • <i>National Security</i> 	<ul style="list-style-type: none"> • Maintenance of public safety/upholding rule of law • <i>Internal Security</i>
Use of Force	<ul style="list-style-type: none"> • Fundamental basis of capability • Primarily train for lethal force 	<ul style="list-style-type: none"> • Use in self-defense/public safety (allows enforcement of law) • Need graduated options
Personnel	<ul style="list-style-type: none"> • Centrally recruited and deployed (but may have regional recruiting/affiliations) • Accommodated in barracks or as temporary residents in an area at government expense/subsidy 	<ul style="list-style-type: none"> • Recruited from the community • Accommodated within community as long-term residents, usually at individual expense
Command and Control	<ul style="list-style-type: none"> • Hierarchical • Commanders make decisions within boundaries of current orders 	<ul style="list-style-type: none"> • De-centralized • All officers are decision-makers, can make decisions within existing jurisdiction & statutory authority

17

1

Relationship to Government	<ul style="list-style-type: none"> • Usually only to national government • Direct relationship – military must receive direction from government to authorize action 	<ul style="list-style-type: none"> • Can be to national or lower-level government • Statutory relationship – agencies have permanent authority to enforce law within jurisdiction • Also gain authority from judiciary to conduct specific activities
Operations	<ul style="list-style-type: none"> • Are a distinct deployment from barracks (ie the routine training, administration and maintenance cycles) to fulfill a government directed task within a defined AO with an (at least implicit) end state 	<ul style="list-style-type: none"> • Normal state of affairs. No strategic end state for the need to cease operations (but can run short-term tactical operations). Operations are conducted within the host community
Logistics	<ul style="list-style-type: none"> • Expeditionary. Need capability for up to and including expeditionary deployments in hostile environments and to sustain these indefinitely 	<ul style="list-style-type: none"> • Non-expeditionary. Mainly maintain operations within host community (with possible need for short-term exceptional deployments, still within jurisdiction) and primarily rely on civilian infrastructure
Intelligence	<ul style="list-style-type: none"> • Supports decision-making – hence concerned with assessments of future action • Needs to convince decision-maker about the validity of assessment • Often protected by national security classification – so only avail to personnel with appropriate clearances 	<ul style="list-style-type: none"> • Supports investigation and prosecution – hence concerned with establishing facts • Needs to assist in proving facts beyond reasonable doubt to judge and jury • May be protected by access controls during investigation – but must be subject to scrutiny in court
Dependencies	<ul style="list-style-type: none"> • Logistics. Can produce force as long as provided with sufficient personnel, materiel, maintenance and consumables 	<ul style="list-style-type: none"> • Rule of Law system. Can only enforce law when laws (criminal & procedure codes) exist and judicial & corrections systems function

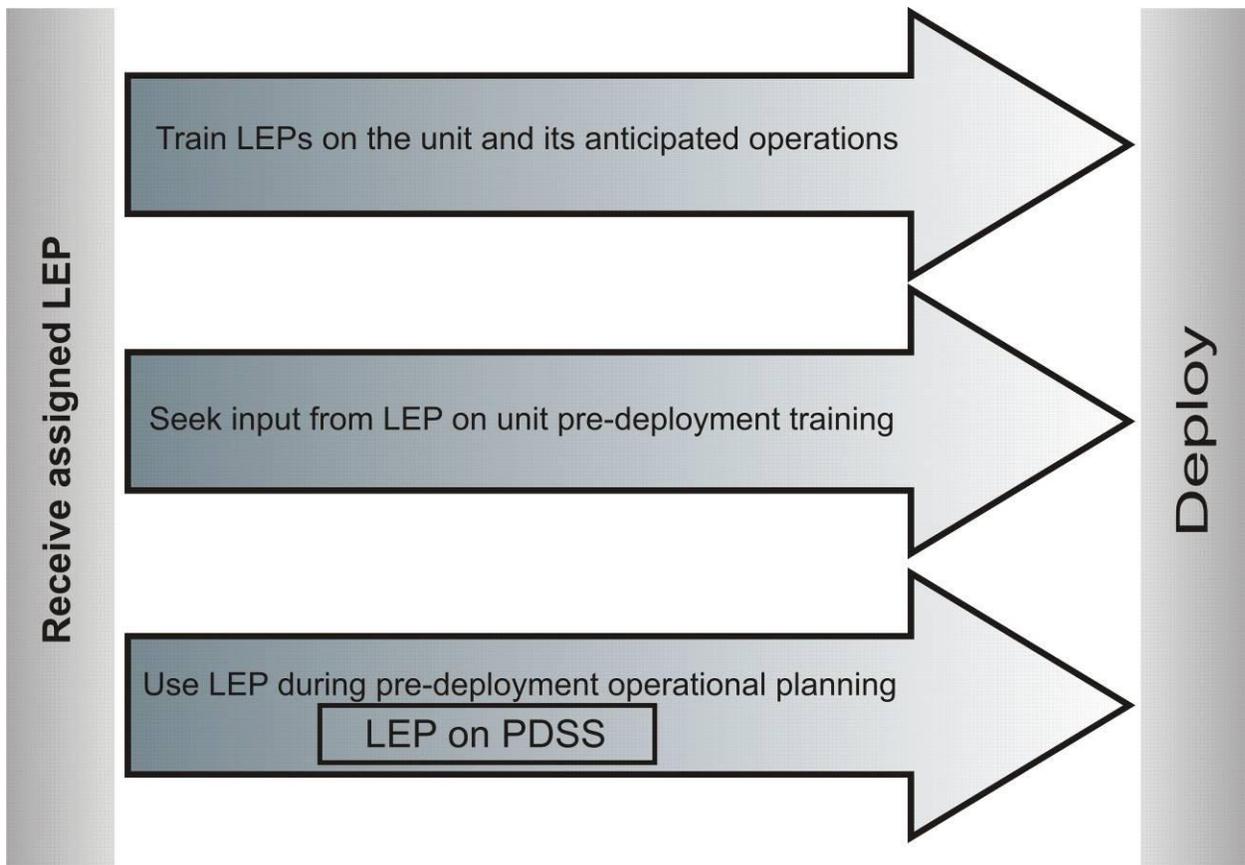
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1 **Appendix C - EMPLOYMENT OF LAW ENFORCEMENT**
2 **PROFESSIONALS PRIOR TO DEPLOYMENT**

3 C-1. LEPs should be attached to the Marine unit for some period prior to deployment to an
4 operational theater. Currently, the Marine Corps will try to give the unit four to six months prior
5 to deployment to work with any assigned LEPs; however this may not always be possible. In
6 any case, the time available will be a relatively limited opportunity for the unit to integrate the
7 LEP into their operations. The specific activities that will occur in this period will vary
8 according to the intended tasking of the LEP, the pre-deployment priorities of the unit and the
9 experience of the LEP. It is recommended that the unit considers the deployment of an assigned
10 LEP with the unit's PDSS.

11 C-2 In general, areas for the pre-deployment employment of LEPs are depicted in Figure C-1.
12 This figure shows the primary areas for LEP pre-deployment employment, but is not a sequence
13 in which they should occur.



15 **Figure C-1. Employment of LEP by unit prior to deployment.**
16
17

1 **Training of LEPs**

2 C-3. Except in cases where a LEP has previous military experience or a previous tour as a
3 LEP, the unit should expect that a LEP has only been provided with minimal training specific to
4 the LEP role. Prior to reporting for duty at the unit, LEPs will likely have received a week-long
5 training package that will have been principally focused on employment orientation:
6 administration, issuance of equipment, firearms familiarization and some basics of operating
7 with the USMC (if appropriate). This training should be considered limited and introductory, so
8 the unit will need to provide additional training.

9 C-4. The unit should seek to inculcate the LEP into the culture and operational procedures of
10 the unit. Once again, the specific areas of focus will be determined by the intended operational
11 employment of the LEP, but the following can be considered as part of a suite of training:

- 12 a. Mission of the unit and the missions of higher and subordinate units.
- 13
- 14 b. Capabilities (and limitations) of the various elements of the unit and any attached assets
15 or assets that may be temporarily assigned to the unit while in theater.
- 16
- 17 c. Command relationships between the headquarters and subordinate units and between the
18 staff branches of the headquarters.
- 19
- 20 d. Familiarization training in Marine Corps Planning Process and Intelligence Preparation of
21 the Battlespace.
- 22
- 23 e. Familiarization training in the unit's tactics, techniques and procedures; particularly in
24 relevant Tactical and Staff Standard Operating Procedures. This element should be
25 particularly valuable, because only by understanding how the unit operates can the LEP
26 understand how to best assist the unit.

27 C-5. If the unit can access specialist expertise on the theater or area of operations of the
28 impending deployment, the following areas of information should be provided for LEP:

- 29 a. Assessment of criminal activity and threat groups in the area of operations.
- 30
- 31 b. Host nation law enforcement agency presence, role and capabilities in area of operations.
- 32
- 33 c. Host nation judicial and corrections capabilities in the area of operations.
- 34
- 35 d. Criminal codes and criminal procedure codes relevant to the area of operations.
- 36
- 37 e. Mandate, responsibilities and capabilities of international law enforcement and rule of
38 law missions and capacity-building programs in theater.

39

1 f. Lessons learned from previous LEP deployments.

2 C-6. LEPs should participate in unit collective training (where possible) in their intended
3 operational role. That will provide a good opportunity for the LEP to understand unit
4 functioning as well as for the unit to identify needs for further training of a LEP.

5 **LEP in pre-deployment training of Marines**

6 C-7. The LEPs may serve as a primary resource for assisting in the training of the unit,
7 subordinate elements and individual Marines in specific law enforcement skills that are likely to
8 have direct relevance to Marine operations, particularly in complex operations and in the period
9 following the cessation of conventional combat operations. This training may be provided as
10 individual training providing law enforcement perspectives on tactical techniques and staff
11 procedures. The LEP can also provide input to the conduct of any pre-deployment collective
12 training.

13 C-8. Any law enforcement skills should be introduced in a manner that adapts them to Marine
14 TTPs, rather than as a discrete set of “policing skills”. Given that the criminal and security
15 threats are likely to be intimately intertwined in many likely operational environments, military
16 and law enforcement skills should be integrated where possible.

17 C-9. Prior to the conduct of any training by the LEP, the unit commander and staff should
18 conduct an assessment of what law enforcement capabilities or techniques may augment the
19 unit’s anticipated missions. The LEP should also be tasked (in conjunction with the unit
20 leadership) to review the unit’s TTPs and SOPs in order to enhance them through adaptation of
21 law enforcement skills. For example, an SOP for “Site Exploitation” could benefit from LEP
22 expertise on crime scene management, arrest procedures, etc. Similarly, “Patrolling in Built-Up
23 Areas” TTPs should benefit from various community policing skills. Due to the importance of
24 adapting these techniques into the context of existing Marine procedures, this review and the
25 development of a training program needs substantial involvement and oversight by senior
26 personnel from the unit. This review serves as the basis for designing the training program that
27 LEPs will conduct for the unit prior to deployment.

28 C-10. The set of law enforcement skills that a LEP may seek to introduce will vary depending
29 on the role and mission of the unit, the nature of the operational environment faced and the skills
30 and experience of the assigned LEPs. See Annex A for a list of law enforcement
31 skills/techniques that the LEP may be able to conduct, including some that may be relevant for
32 adaptation by the Marine unit.

33 C-11. **Unit collective training.** As a part of the pre-deployment training, the unit may have the
34 opportunity to undergo a period of collective training at a Combat Training Center (such as
35 Mojave Viper at Twentynine Palms). In many cases, the Marine Corps may have a LEP
36 assigned to the training staff at this facility. This will permit the Marines to better form another
37 perspective on their operational skills and will allow the LEPs assigned to the unit to benefit

1 from the experiences of a LEP who will have already completed operational tours with a Marine
2 or Army unit.

3 **C-12. In theater training.** Once in theater, the LEP is likely to have less opportunity to provide
4 formal training, but will likely focus on mentoring and advising during the deployment.
5 However, as the environment changes (evolution in threat TTPs, changes in crime patterns,
6 development of host nation capabilities) Marines must adapt. The LEP could assist in TTP
7 development and training to assist with that adaptation. Additionally, combat patrols can also
8 serve as training with the LEP providing mentoring and advice during the patrol on how to do it
9 more effectively from a law enforcement perspective. The consistent mentoring that the LEP
10 can provide will be invaluable in institutionalizing those TTPs over the course of time.

11 **LEP in Unit Pre-Deployment Planning**

12 C-13. Integrating the LEP into unit staff processes should begin immediately after the LEP
13 arrives at the unit. This will serve as an opportunity for on-the-job training to reinforce
14 familiarization training and will also allow the unit commander and staff to get to know the LEPs
15 to determine how they would best serve the staff effort.

16 C-14. LEPs should contribute (as a part of the staff) to the unit's pre-deployment planning.
17 Optimized effect from the LEP will come when they are integrated actively into the standard
18 staff processes, and not considered a subsidiary part of those processes. This will allow the
19 widest possible scope for LEP contributions. The initial MCPP run by the staff with LEP input
20 will also help the staff understand the capabilities of the assigned LEPs and the LEPs' tasks and
21 roles.

22 **C-15. Deployment of LEP on Pre-Deployment Site Survey.** If possible, it is recommended
23 that a LEP should take part in the unit's Pre-Deployment Site Survey. This will allow the LEP
24 the opportunity for a more detailed handover from any LEPs already serving in the area and the
25 establishment of necessary contacts with international and host nation law enforcement
26 personnel. During the PDSS, the LEP could provide advice to the S2, S3, and commander on his
27 perspective of the unit's future area of responsibility. It also ensures his informed advice during
28 the unit's MCPP prior to deployment to the area of operations. If the unit has been assigned
29 more than one LEP, the other LEPs should remain with the unit to conduct training and staff
30 integration, refined by advice from the LEP on the PDSS where necessary.

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1 **Appendix D - CURRENT DOD AND SERVICE POLICIES RELEVANT TO**
2 **THE EMPLOYMENT OF LAW ENFORCEMENT PROFESSIONALS**

3 D-1. Any employment of LEP by a USMC unit will need to conform with all current DoD
4 and/or service policies. In addition to more general policies and legislation guiding the
5 operations and administration of Marine units, some more specific guidance and limitations
6 relevant to the employment of LEP are likely to be found in policies related to:

- 7 a. employment of civilian contractors (including any policy specifically referring to LEP);
- 8 b. conduct of intelligence operations, particularly involving human intelligence;
- 9 c. law enforcement/policing operations; and
- 10 d. policies related to the specific operation, including the status of forces agreement, rules of
11 engagement and policy regarding relations with host nation security forces or with other
12 international agencies.

13 D-2. The following list is provided to give guidance on a selection of the policies relevant to
14 the employment of LEP that were current at the time of publication. It is not exhaustive and these
15 policies may not cover all aspects of LEP employment in all operational circumstances.

- 16 a. Department of Defense (DoD) 5240.1-R. Procedures Governing the Activities of DoD
17 Intelligence Components that Affect United States Persons.
- 18 b. Department of Defense Directive (DoDD) 1100.4. Guidance for Manpower Management.
- 19 c. DoDD 3115.09. DoD Intelligence Interrogations, Detainee Debriefings, and Tactical
20 Questioning.
- 21 d. DoDD S-5200.37. Management and Execution of Defense Human Intelligence
22 (HUMINT) (U)
- 23 e. DoDD O-5240.02. Counterintelligence.
- 24 f. Department of Defense Instruction (DoDI) 1100.22. Policy and Procedures for
25 Determining the Workforce Mix.
- 26 g. Marine Corps Order (MCO) P5580.2A. US Marine Corps Law Enforcement Manual.
- 27 h. Secretary of the Navy Instruction (SECNAVINST) 3850.2C. Department of the Navy
28 Counterintelligence.
- 29 i. SECNAVINST 5430.107. Mission and Functions of the Naval Criminal Investigative
30 Service.
- 31 j. SECNAVINST 5820.7C. Cooperation with Civilian Law Enforcement Officials.

1 **GLOSSARY**

2 **SECTION I. ACRONYMS AND ABBREVIATIONS**

3 AO area of operations

4 CEXC combined explosive exploitation cell

5 COIC counter-IED operations integration center

6 COIN counterinsurgency

7 COMPSTAT computer statistics

8 DoD Department of Defense

9 HUMINT human intelligence

10 HN host nation

11 IED improvised explosive device

12 JPEC Joint Prosecution and Exploitation Center

13 LEA law enforcement advisor

14 LEP law enforcement professional

15 MCIP Marine Corps Interim Publication

16 MCPP Marine Corps planning process

17 PDSS pre-deployment site survey

18 RoL rule of law

19 SJA Staff Judge Advocate

20 SOP standard operating procedure

21 TTP tactics, techniques and procedures

22 US United States

23 USG United States Government

24 USMC United States Marine Corps

25

26 **SECTION II. DEFINITIONS**

27 **Advisory.** For the purposes of this MCIP, an advisory task is an activity in which LEP advises
28 Marines (or representatives of other agencies) on elements of planning and conduct of activities
29 that the LEP will not be involved in. A Marine receiving advice from a LEP can be accept or
30 reject that advice at their own discretion and must continue to conform with all orders and
31 policies from their chain of command.

- 1 **Direct Participation.** For the purposes of this MCIP, a direct participation task is an activity in
2 which LEP actually conducts the activity.
- 3 **Interagency.** United States Government agencies and departments, including the Department of
4 Defense. (JP 1-02)
- 5 **Law Enforcement Advisor (LEA).** A LEA is an experienced law enforcement professional
6 assigned to a USMC unit to assist the commander and staff adapt law enforcement tactics,
7 techniques, procedures and perspectives to help expand the range of operational options
8 available, where appropriate to assist in accomplishing the mission. [Note that LEA is currently
9 an envisaged future concept which will expand the capability currently resident in the LEP
10 program].
- 11 **Law Enforcement Professional (LEP).** A LEP is an experienced law enforcement specialist
12 assigned to a USMC unit to assist the commander and staff to adapt law enforcement tactics,
13 techniques, procedures and perspectives, where appropriate to assist in accomplishing the
14 mission.
- 15 **Mentoring.** For the purposes of this MCIP, a mentoring task is an activity in which LEP
16 accompanies Marines (or representatives of other agencies) in the conduct of activities in order
17 to provide advice, support and feedback.
- 18 **Training.** For the purposes of this MCIP, a training task is an activity in which a LEP is
19 involved in the design, planning and/or conduct of formal training of Marines.

20
21

22 **Related Publications and References**

- 23 MROC Decision Memorandum 17-2010 (LE/COIN)
- 24 UUNS 09140UA, Law Enforcement Support for Counterinsurgency/ Irregular Warfare
25 Operations (short title: LE/COIN)
- 26 MARADMIN 282/09, Law Enforcement Professional Program
- 27 CMC MESSAGE PPO 261409ZJAN 10: LAW ENFORCEMENT PROFESSIONAL (LEP)
28 PROGRAM LETTER OF INSTRUCTION
- 29 Law Enforcement Professional Program, Marine Corps Center for Lessons Learned, 4 Jun 2009
- 30 Cop on the Beat Principles, Lockheed Martin Sep 2009
- 31 Intelligence Capability Enhancements/OIF Infantry Battalions – Operation METRO, Marine
32 Corps Center for Lessons Learned, 4 Jan 2007
- 33 Warrior Police, Developing Army Security and Investigative Capabilities for Modern Conflicts,
34 RAND Report July 2007