

WHITE PAPER

Coast Guard Law Enforcement/Security- - the Way Ahead in the 21st Century

**BMCM Charles Bowen
PSCM Jeffrey Smith
MCPO George Ingraham**

5 May 2003

Coast Guard Law Enforcement/Security- - the Way Ahead in the 21st Century

Reorganization and change driven by the events of September 11th, 2001 has altered, and is continuing to alter, the very essence of the United States Coast Guard. We are at a critical juncture in Coast Guard history. Every few decades, all organizations come to a crossroad in time so significant that it changes the very fabric of their makeup. Today the Coast Guard stands at such a crossroad. Since its inception, our Service has continued to evolve to meet the new missions required of us. The attacks on September 11th ushered in another phase in our growth and development, including a change in Departments, unprecedented growth not seen since WWII, and a refocused mission portfolio absolutely essential to the safety of our Nation.

Our changing Country's security environment has compelled an extraordinary leap in the size and magnitude of Coast Guard law enforcement activities and attendant personnel requirements. Twelve new Maritime Safety and Security Teams, and increased billets at TACLETs, LEDETs, PSUs, Stations, Cutters and other operational units have formed a critical mass. Trained, professional, Law Enforcement personnel must support these units. In many parts of the organization, Homeland Security missions now comprise a full 40% of operational activities. In addition, the Maritime Transportation Security Act, calls for standardized requirements regarding the training and professional qualification of Federal Law Enforcement personnel.

Item P-07 of the Coast Guard Leadership Council Management Agenda calls for improvements in the way our Service grows, matures, rewards, recognizes, trains, and retains members in the Port Security/Law Enforcement community. The desired end state is characterized as, "a truly professional Law Enforcement cadre (community) that will support TACLET/LEDET, MSST, PSU, Sea Marshal, Cutter and MSO/Group/Station Law Enforcement either through a rating, special qualification, or other form of recognition." In order to train, maintain, and retain, a truly professional Law Enforcement cadre in the Coast Guard, some type of reorganization within the boundaries of the operational community will be required.

The three focus areas of the Commandant's Direction; Readiness, People, and Stewardship all directly apply. In the interests of "Stewardship" we must capture synergies available within the new Department. Our Law Enforcement program must partner with the Federal Law Enforcement Training Center (FLETC) to ensure professional parity and provide consistency with other Federal, State, and Local Law Enforcement agencies. Opportunities possible with FLETC include co-use of common training facilities ensuring interoperability with other agencies with an eventual goal of Federal Law Enforcement certification for all personnel engaged in Law Enforcement at the Boarding Officer level. Certification would provide professional development opportunities, and relates directly to the "People" focus in the Commandant's Direction. ALCOAST 021/03 speaks to the area of "People and Readiness." It states, "In the new Homeland Security environment, the Coast Guard's Law Enforcement requirements have expanded by the creation of new PSUs, MSSTs, the Sea Marshal Program, and other initiatives. These new initiatives, coupled with our ongoing Law Enforcement missions,

require us to take a comprehensive look at how we grow and retain our workforce skills in these critical areas.” It is evident that in the new normalcy, to raise the degree of competency in the Law Enforcement arena we must be prepared to reorganize. The mandate is clear, in order to meet the challenge of current and future missions, and comply with current legislation, the Coast Guard must forge ahead with an examination of these critical issues. This paper considers two possible options, **(1) the creation of a Maritime Enforcement Rate, and (2) the creation of a Maritime Enforcement Community.**

Background: Proposals to create a Law Enforcement Rate or Community have arisen many times over the last 30 years, but have never resulted in any serious attempts by the Coast Guard to consider either reorganizing or refocusing priorities. **The question has always been, “What is the real need?” In the Coast Guard’s modern Law Enforcement era, (post 1970) we’ve always managed to get the job done...so why change?**

Historically, the Coast Guard has been extremely successful in its Law Enforcement roles, this is principally due to our dedicated and resourceful workforce. There have been some improvements since the early 70s, but by and large, the training our personnel have received has been piecemeal, mostly learned “on the job,” and sometimes resourced by our members...or even self-taught! In a 1998 white paper, drawing from his experience as a senior hearing officer, Captain Dana Goward contended that all was not well in the Law Enforcement professionalism arena. As a hearing officer he received many letters recounting problems with the actions of Coast Guard boarding officers in the area of knowledge, expertise, and professional demeanor. **He asks, “What is the value of a professional, experienced, law enforcement officer who is well trained in interacting with the public and can function across a wide range of areas including drug enforcement, fisheries, environmental protection, migrant enforcement, and safety? How much could we improve by providing a career path for the sizeable portion of the workforce that desires Maritime Law Enforcement as their occupation, and by establishing parity and credibility with other agencies in the Law Enforcement world?”** Further evidence of the need for attention in the Law Enforcement arena can be found by examining the history of the Reserve only, Port Security Rating. The Port Security Rating (PS) has remained a purely Coast Guard Reserve Specialty since the early 1950s. Even this Rate, founded purely on the requirement for anti-sabotage efforts and other Law Enforcement, Safety, and Security related roles, has been diluted into a part-time requirement. The end of the Cold War, the Exxon Valdez disaster, Reserve Integration and Streamlining have all served as catalysts to generally de-emphasize Port Security. In recent years until 9-11, PS personnel assigned to Marine Safety Units have been performing the duties of Marine Science Technicians. In addition, the few PS personnel assigned to shore stations have generally been performing the duties of Boatswains Mates.

In the “O” mission community, field response personnel have often looked at Law Enforcement as a part-time mission. In the enlisted workforce, Boatswains Mates and Machinery Technicians (BMs and MKs) conduct approximately 75% of all boarding

activity and are the largest of the enlisted rating specialties. They are also the most operationally oriented of all the rates, encompassing virtually all of the rated billets at shore stations and small cutters. In spite of this, the current focus of rating specialties within the Coast Guard, including the BM/MK rates are largely maintenance based. This is readily apparent by reviewing performance qualifications, advancement courses, tests and training. Performance qualifications for BM/MK personnel are primarily focused on conducting PMS, fixing engine casualties, preparing and painting surfaces and other miscellaneous duties. When working at a small unit, **one of the last qualifications usually completed is Boarding Team Member or Boarding Officer.** It is interesting to note, that neither of these mission-focused certifications are required for advancement in either the BM or MK rate. In comparison, no State or Local Law Enforcement Officer is ever a mechanic or maintenance person first and a Law Enforcement Officer second. Our present rate system continues to be based on Pre-WWII shipboard roles and has been slow to change. For the last 30 years Coast Guard operations at the local level have become increasingly complex, requiring our enlisted personnel to become proficient in multi-mission operational areas not adequately addressed by this antiquated system. It is also important to note that the recently completed merger of the BM and QM ratings will further burden the training requirements of the new rating. As presently structured, BMs will either strike or attend a 6 week A School (Core) followed by a 3 week (Strand) Afloat or Ashore School depending on their subsequent unit. It is expected members will return for the opposing Strand at some point in the future. Either way, it is reasonable to anticipate additional training requirements, whether formal or informal, as BMs attempt to navigate their career path. By extension, it is reasonable to anticipate "out of-rate" assignments may have negative career impacts on the new BM rating.

Irrespective of some at the "deckplate," level's perception that Law Enforcement is a part-time mission, it is most certainly not a part-time mission for either the "O" community or the Coast Guard as a whole. At any given time, a very high percentage of the operational workforce is engaged in activities such as Port Security, Narcotics Interdiction, Migrant Interdiction, Fisheries Enforcement, Sea Marshal operations, and Boating Safety boardings.

In the "M" mission community, field response personnel have served primarily as inspectors, investigators, responders, and planners. Pre 9-11 these activities mostly consisted of unarmed personnel conducting inspections and other activities. Post 9-11, the fact that these activities also lie within the realm of "enforcement activity" has been driven forcefully home.

All of the foregoing activities in the "O" and "M" mission community share many fundamental skills at the most basic level, because all are "enforcement" based. These synergies allow the consideration of a Law Enforcement Specialty or Community that encompasses all of these activities. Even in the Pre 9-11 environment, members of the 1998 Joint Rating Review recommended chartering a follow up JRR like study to examine the feasibility of a Law Enforcement Rating/Specialty. **In the Post 9-11 environment, doing so can no longer just be a recommendation...it is a necessity.**

Creating a Law Enforcement Rating

In his 1998 White Paper, “*IT’S TIME FOR ENLISTED LAW ENFORCEMENT RATES*,” Captain D. A. Goward wrote: “Law enforcement is the Coast Guard’s oldest activity and supports virtually all missions. It is similar to vessel navigation or aircraft operation as a front line activity/capability required for mission execution. However, unlike other front-line, mission support activities, no enlisted specialties have been established to ensure the best training, the highest quality performance, and a continually improving cadre of professionals. We devote over 3,000 billets and have an established career path to ensure maintenance of vessel engines (the MK rate), yet task mostly junior enlisted personnel carry weapons and interact with the public as a collateral duty.”

The creation of the Maritime Safety and Security Teams, additional Port Security Units, beefed up LEDETS/TACLETS, HITRON, Harbor Defense Units, and additional Maritime Security billets detailed to existing units generate a ready made population for the creation of such a rate.

The following is a breakdown of Resource Proposals, both approved and anticipated, showing the number of enlisted billets from which the Maritime Enforcement rate could be formed by FY05:

G-M	Homeland Security Planner (FY02)	3
G-M	Maritime Safety Patrols (FY02)	20
G-M	Maritime Safety patrols (FY03)	24
G-M	Facility Security Planning (FY03)	18
G-M	Homeland Security Planner (FY03)	4
G-O	MSST (FY03/04/05)	26 x 12 Units = 312
G-O	PSU (FY03/04)	45 x 8 Units = 360
G-O	Sea Marshals (FY04/05):	227
G-O	Port Security & Tactical Boat Ops (FY04)	25
G-M	MHLS Response Posture (FY05)	154
G-M	MHLS MARSEC Implementation (FY05)	359
	Sub Total:	1508
	Existing Traditional LE Enlisted Billets (Taclets/Ledets)	250
	Total:	1758

In addition to the influx of Homeland Security Billets that should be designated as Maritime Enforcement, the rate could be populated from the existing operational rates currently at units. In Captain Goward’s paper, a pre-911 requirement for personnel involved in Maritime Enforcement activities totaled 1, 243 billets. This would bring the potential workforce strength of a new rating to 3,001. It is important to note that creating such a significant workforce will require considerable planning and resource re-direction.

It may be prudent to consider implementing such a change in executable segments. For example, it may make sense to look at units with specific Law Enforcement responsibilities first, i.e. MSSTs, LEDETS, TACLETS, PSUs, etc. and then address the broader implications of traditional multi-mission afloat and ashore units. The first segment could focus on existing or forecast billets detailed above that are already dedicated to Law Enforcement missions. The next step might be to convert one billet at each of the traditional multi-mission units to the new Rating. This should not be a hardship because most units already dedicate a full time person to either Operations, or Law Enforcement, or both. In the ideal world, the best way to proceed would be to create new positions at units based on mission needs. However, even in today's security conscious environment this is probably not possible, so the third executable segment is much more difficult. Maintenance and Boat Operations still need to be accomplished and all billets on current Personnel Allowance Lists are fully engaged. A close review of the potential consequences of converting already established BM and MK billets at multi-mission units should be conducted. Our team feels that like already established rates, the Maritime Enforcement Rate should be multi-mission, i.e. in terms of pursuing an degree, a Maritime Enforcement Specialist could major in Law Enforcement and minor in boat maintenance, or boat operations. Such a focus might provide one possible avenue to alleviate the maintenance/boat operation issue.

As to the extent of billets that could be reviewed for conversion, after a close review of Captain Goward's paper, our team believes the logic behind the data/numbers are still valid today. This generally captures the potential size of the proposed Maritime Enforcement Rate, less the new billets described above. Excerpts/Tables from "*IT'S TIME FOR ENLISTED LAW ENFORCEMENT RATES*," D. Goward, 1998 are attached as enclosure (1).

Discussion: Broad mission areas captured by the Maritime Enforcement Rate could potentially include Homeland Security, Port Security, Traditional Maritime Law Enforcement functions (Drug Enforcement, Fisheries Enforcement, Boating Safety, etc), Marine Safety/Security Enforcement functions, and Intelligence. Primary Duties of a Maritime Enforcement Specialist would include boardings, inspections, inquiries, arrests, searches, and seizures focusing on the broad array of missions previously stated. The Maritime Enforcement Specialist would also be heavily involved in unit training. Having focused Law Enforcement "experts" available in all operational units would have an immediate affect on raising general Law Enforcement competencies. To reiterate, like all existing operational rates, members of the Maritime Enforcement Rate would remain multi-mission. **It's important to note that the creation of a Maritime Enforcement Rate should not, and cannot preclude members of other rates from functioning as Boarding Officers and Boarding Team Members.** Any enhanced Law Enforcement training programs stemming from the creation of a new Rate should be open to existing operational Rates. Our operational Rates are multi-mission and should remain so. There is far more workload associated with the Law Enforcement mission than any single Rate can handle.

Skills Required/Training. A U.S. Fish and Wildlife Service Refuge Officer performs armed Law Enforcement tasks on a collateral duty basis in addition to normal refuge maintenance work. Required training is an 11-week course at the Federal Law Enforcement Training Center and a 2-week, agency specific program. Working in partnership with FLETC and sister agencies in the Department of Homeland Security, our goal should be to validate and establish minimum standards for Coast Guard Federally certified Law Enforcement Officers. The current Maritime Law Enforcement School curriculum is 4.5 weeks with all training conducted onsite. With little additional resources a curriculum could be developed consisting of online training for all knowledge-based requirements with 4.5 weeks of “hands on” follow on training being delivered at Yorktown or FLETC. The focus should be to meet Federal standards for a basic Law Enforcement officer. Follow on training could be based on geographic need, i.e. Fisheries, Narcotics Interdiction, Port Security, Terrorism, and Force Protection. Existing facilities and schools such as the Special Missions Training Center, Regional Fishery Training Centers, and other regionally based, mission focused schools could be reorganized into a “Strand/C school” system with the “Core” being the basic Law Enforcement course. The current on the job Law Enforcement, Performance Qualification system could be retained for Boarding Team members.

Maritime Enforcement Rate advantages:

- (1) The Coast Guard would have a specialized, dedicated, and consistent Law Enforcement/Security community.
- (2) This is a Recruiting and Retention tool. Many of our members join the Coast Guard because of its enforcement mission. The Coast Guard is the only Armed Service with a Civilian Law Enforcement/Security mission. At the same time it is the only Armed Service that does not have a dedicated Law Enforcement Rate or Specialty.
- (3) A Rate would significantly enhance the experience base applied to the Coast Guard’s Law Enforcement mission. Perpetual juniority problems at the field level would be alleviated.
- (4) Recognized/Certified Law Enforcement personnel would enhance partnerships and interoperability with sister agencies in DHS.
- (5) A Law Enforcement Rate would provide a workforce better able to meet mission requirements at higher Marsec levels.
- (6) A Rate would provide consistency between our Active Duty and Reserve programs.
- (7) Finally, a Rate would give Coast Guard Investigative Services, and our budding Intelligence Program, a pool of personnel with basic qualifications to draw from.

Concerns:

- (1) The Rate would have to be created with advancement opportunities including accession to Chief Warrant Officer in mind. A Chief Warrant, Law Enforcement Specialist would be recommended. This could also dovetail with current CGIS and Intelligence program needs.

- (2) An appropriate Sea/Shore ratio would have to be carefully considered as the Rate is expanded to traditional multi-mission units.
- (3) Compensation- this is a relative issue that varies depending on location. A basic Police Officer in San Jose, CA starts at \$80,000 while a starting Officer in the Florida Marine Patrol starts at approximately \$25,000. Reasonable variations in compensation compared to Law Enforcement Officers throughout DHS will have to be understood and communicated. With the chance for accession to Chief Warrant Officer our military compensation package should be adequate. People join the Coast Guard because of the mission; subsequently, many choose to leave the Coast Guard because of the lack of dedicated opportunity in the Law Enforcement field.
- (4) Officer Opportunities – concern has been voiced that by creating an enlisted Maritime Security Rating, Coast Guard Officers would be excluded from assignments they have currently. There is no reason this should happen. As with all CG operations, our officer corps will continue to play a vital role in the completion of our missions. All training opportunities should be open, if not required, for Officers assigned to LE/Security missions.

Creating a Maritime Enforcement Community

Clearly the time has come for the Coast Guard to come to grips with the overarching Law Enforcement/Security mission. As stated, a Maritime Enforcement rating is one way to address this need. **Another option could be the creation of a Maritime Enforcement community similar to the Surf Community or the Dive specialty.** The basic premise of the community would take advantage of skill-based assignments in regard to this mission set.

The establishment of a Maritime Enforcement Community has several advantages for the member and the organization. From an organizational perspective, the advantages would include lower long-term training costs, higher skill to assignment matches, and a positive recruiting and retention tool. Member's would have the ability to remain within desired world-of-work with clearly identified follow-on tour potential. For career personnel, the community concept allows the opportunity to develop a strong post-career resume.

While the community concept also has the advantage of bringing different rating skills – at least initially – to bear on mission completion, it does not solve the problem of advancement within a member's specialty. A well-known community in DOD circles is the Navy SEALs. Navy SEALs retain their rating identity when they enter the Special Forces community. A rated Petty Officer in the SEAL community competes for advancement with all other Petty Officers of his/her rate in the Navy. This has worked for the SEALs and statistically their advancement rates match well with other groups in the Navy. Additional facts are that only the Navy's very high performers, become SEALs, and this might be skewing the figures. A sizeable number of personnel in the Maritime Enforcement Community would encounter the same advancement difficulties already being experienced by personnel in Petty Officer billets. Personnel who are out of rate too long do not compete well, and sometimes are set up to fail when they return to a position in rate. Our Team gave some thought to having members of the Maritime

Enforcement Community only compete against those in their rating within the community. The consensus is that such an option would be unworkable and lead to significant problems in the personnel management arena.

Conclusion

The creation of a Rate is the preferred option. Advancement and career path issues negate any positives the Maritime Enforcement community can offer. If we advance and transfer only within the community...why not a rate? In addition, all the advantages mentioned above would also apply to a rating, and in some cases, such as recruiting and retention, placed in the context of a rating, may actually be even more advantageous.

Finally, perhaps the most compelling argument for a rating is that a foundation for one already exists, the Port Security Specialist (PS). As noted earlier, the PS Rating is a Reserve-only rating. Yet today, nearly 500 PS personnel (60%) of the Rating are serving on active duty in a variety of maritime enforcement and security mission sets. The PS rating, with its recently completed Occupational Analysis, revised Enlisted Performance Qualifications, and soon to be revised "A" School and "C" School curriculums, can serve as a readily available core around which to create a Maritime Enforcement Rating.

Our team recommends that the Coast Guard move quickly to address the issue of a Law Enforcement Rate, and further, that the Future Force 21 Team be tasked with the lead for further study and implementation in partnership with G-O and G-M.

Summary

Still the question persists, "can we do better?" "The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise to the occasion. As our case is new so we *must think anew, and act anew.*"

Those words, written some 140 years ago by President Abraham Lincoln, apply yet today. As stated at the beginning of this paper, much has transpired – is transpiring – in the days and months since September 11, 2001. Throughout the history of our organization, from the Revenue Cutters to the creation of the modern day Coast Guard in 1915, from beach carts and Lyle guns to 47' MLBs, from Boilermen to Operational Specialists to Deepwater, we have recognized and embraced change as a way to remain ready to meet the needs of our Nation and its people. Today, as the leading governmental agency tasked with the Safety and Security of our maritime borders, we need to once again make certain that we have the people and resources in place, to attain and maintain the level of expertise and service our country has come to expect. Simply stated, the creation of a Maritime Enforcement Rate is the prudent course of action to ensure we remain – Semper Paratus.

Encl (1)

a. SERVICE-WIDE NEED FOR BOARDING OFFICERS. As indicated above, no staffing standard for Boarding Officers exists. However, based upon interviews with Commanding Officers and OINCs, the following table lists the minimum number of Boarding Officers required to execute each unit’s mission. In most cases, COs/OINCs strive to have more than this number of personnel qualified to provide greater operational flexibility. A brief rationale for each unit type is included in Table-6 below.

Table-6

**MINIMUM NUMBER OF BOARDING OFFICERS
REQUIRED BY UNIT TYPE**

<u>Unit Type</u>	<u># Units</u>	<u>BOs/Unit</u>	<u>Total Boarding Officers</u>
Stations (reg)	137	5	685
Stations (small)	37	2	74
WHEC	12	2	24
WMEC	32	2	64
Group Office	44	1	44
WPB	86	1	86
Existing “O” LE billets (less CGIS.)	--		266
TOTAL BOARDING OFFICER BILLETS			1243

Table-6 Notes:

STATIONS (reg) - Stations are staffed for a four duty section rotation, though most stand a form of port and starboard watches with two crews aboard at all times. This has proven to be a popular scheme as it provides higher level of readiness at the unit greatly reduces the unit’s “down” time due to crew fatigue (two or more alert crews instead of one) and provides a desirable liberty schedule. Using the staffing standards model of five billets to support one, four section 7X24 watch position, 5 qualified Boarding Officers are required, as a minimum, at stations.

STATIONS (small) - Stations (small) are sub-units of Stations (reg), are minimally staffed, and are tasked only with operational response. Two Boarding Officer qualified personnel are a sufficient augment to the staffing of the parent unit to support the semi-detached readiness maintained by a Station (small).

WHEC/WMEC - These cutters typically conduct at-sea boardings of large vessels one at a time. Two Boarding Officers are sufficient to support to support either two simultaneous boardings or an extended period of sequential boardings. NOTE - it may be appropriate for these units to train boarding team members to a higher degree than is required at other commands so that they may operate more effectively and semi-independently during boardings of large vessels. The need for a law enforcement prize crew should also be considered in building an appropriate staffing model.

GROUP OFFICE - At least one Boarding Officer qualified senior enlisted person is required at group offices to both assist in planning, intelligence gathering & processing, and to act as the subject matter expert advisor to the group commander.

WPB - Minimally staffed, WPBs typically board only one vessel at a time and are not able to support “round-the-clock” boarding operations. One Boarding Officer is, admittedly, a minimum, but is sufficient to support the great preponderance of operations. Should LE surge or augmented operations be planned, the unit could temporarily embark another Boarding Officer loaned from another unit (TACLET, LEDET, Group, etc.).

EXISTING “O” LE BILLETS - These billets are not located at any of the kinds of units listed above, and are specifically identified in the PAL as being devoted to law enforcement activities. They are sited at TACLETS, training teams, and the like. 51 CGIS billets are also included in this group as the skills and qualifications required of Boarding Officers are generally a subset of those required of Special Agents.

b. RATES NOW SERVING AS BOARDING OFFICERS - As this information is also not available from any Coast Guard data base, an estimate or extrapolation is necessary. Using the attendee data for the last six MLE-01 Boarding Officer courses and assuming that this group is representative of the service as a whole, the approximate composition of the service's enlisted Boarding Officer population is estimated in Table-7.

Table-7

**ESTIMATED COMPOSITION OF
BOARDING OFFICER POPULATION**

<u>Last 6 BO Courses</u>			<u>Estimated Service-wide Boarding Officer Population</u>	
<u>Rate</u>	<u>Attendees</u>			
BM	52	→	BM	40%
MK	45	→	MK	35%
GM	14	→	GM	11%
QM	8	→	QM	6%
FS	3	→	FS	2%
FT, ET, EM, TC	1ea	→	Other	3%