

18 - 20 December 2011

## **TRAINING MARITIME LAW ENFORCEMENT AND FIRST RESPONDERS**

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### **Abstract**

Creating effective security in the nation's ports in the post-September 11 world is a challenging task. Ports present attractive targets for terrorists: They are sprawling, easily accessible by water and land, close to crowded metropolitan areas, and interwoven with complex transportation networks. Besides terminals where goods bound for import or export are unloaded or loaded onto vessels, ports also contain other facilities critical to the nation's economy, such as refineries, factories, and power plants. These many facilities, along with the ships and barges that ply port waterways, can be vulnerable on many fronts. For example, container terminals, where containers are transferred between ships and railroad cars or trucks, need ways to screen vehicles and routinely check cargoes for evidence of tampering. At factories and other facilities where hazardous materials are present, safeguards must be in place to prevent unauthorized persons from gaining access.

In the United States, the Captain of the Port is a Coast Guard officer who provides direction to Coast Guard law enforcement activities within the general proximity of the zone in which assigned. Under the regulations implementing the Maritime Transportation Security Act of 2002, the Captain of the Port develops the Area Maritime Security Plan **for his or her zone in consultation with the Area Maritime Security Committee that is** comprised of members from federal, state and local governments; law enforcement agencies; maritime industry and labor organizations; and other port stakeholders that may be affected by security policies. The Plan is to provide a communication and coordination framework for the port stakeholders and law enforcement officials to follow in addressing security vulnerabilities and responding to any incidents. Prior to the Maritime Transportation Security Act of 2002, this committee and plan were known generically as port security committees and port security plans.

### **Areas of Critical Assessment**

#### **Assessments of Assessments**

An identification and inventory of completed security assessments of port assets and critical infrastructure within a port. This inventory is designed to help the assessment team minimize the possibility of needlessly duplicating previously completed assessments as well as to provide the Captain of the Port and the Area Maritime Security Committee with greater awareness of existing security information.

#### **Terrorist Operations Assessment**

An assessment utilizing the expertise of qualified personnel to provide a "real world" perspective on the ports' vulnerabilities to a terrorist attack. This assessment is to evaluate potential terrorist targets within the ports and identify likely attack scenarios for the Captain of the Port and Area Maritime Security Committee to consider addressing in the Area Maritime Security Plan.

18 - 20 December 2011

### **Special Assessment**

Assessment of specific port assets, infrastructure, or operations that are critical to the port but have not been previously assessed from a maritime perspective. Performed at the request of the Captain of the Port and the Area Maritime Security Committee, this assessment is to provide vulnerability, impact, and countermeasure information on those assets, infrastructure, or operations.

### **The Port of Los Angeles and the Maritime Law Enforcement Training Center**

Located in the San Pedro Bay, 20 miles south of downtown Los Angeles, the dual Ports of Los Angeles and Long Beach (POLA/POLB) are a critical part of the U.S. marine transportation system. These conjoined ports are respectively ranked the first and second busiest shipping facilities in the U.S. and accommodate 40% of the cargo entering the United States. Situated on 15,000 acres of land and water, the POLA/POLB encompasses 43 miles of waterfront accessible by cargo vessels at 160 vessel berths. This infrastructure serviced 2,182 commercial vessel arrivals in 2010 comprised of container ships, dry and liquid cargo tankers, passenger cruise ships, and commercial fishing vessels. The POLA/POLB complex also includes recreational vessels, waterside businesses, marinas, and landside critical infrastructure such as bridges, highways, and arterial roads.

Public safety in the POLA/POLB complex is primarily the responsibility of the Port of Los Angeles Police Department and the Long Beach Police Department. To a large extent, law enforcement (LE) activity is a multi-jurisdictional endeavor and, depending on the circumstances, may involve federal, state, county and municipal LE elements. Port safety and security is dependent upon a large-scale system of waterborne LE personnel, equipment, and technology, central to which are POLA police and City of Long Beach police. LE personnel engaged in this unique marine port safety and security arena require specialized training as detailed in the following pages.

LE personnel are similarly tasked at all of our nation's ports and faced with comparable operational and regulatory demands.

### **The Maritime Law Enforcement Training Center**

The purpose of the Maritime Law Enforcement Training Center (MLETC) is to provide waterborne (LE) personnel with the specialized training their jobs require (see Appendix 1), to accommodate the unmet demand for training and to afford employers the ability to properly train LE personnel as set forth by the U.S. Supreme Court, *City of Canton vs. Harris*, 489 U.S. 378, 109 S. Ct 1197 (1989). The MLETC may serve as an alternative to the Federal Law Enforcement Training Center (FLETC), who currently cannot meet the enormous training demand at their existing facilities. Furthermore, a West Coast training center will provide a cost saving in personnel travel expense and benefit from having employees remain local during training. It is also consistent with the Department of Homeland Security's strategy to provide state and local agencies with the training they need to combat terrorism.

18 - 20 December 2011

Local, state, and federal law enforcement agencies share responsibility and authority within marine ports, as well as territorial and inland waters. Due to the unique nature of their work, each agency requires specialized maritime training for their officers (see Appendices 2 and 3). LE personnel in waterborne environments such as port navigation waters and dockside environments, marinas, recreational venues such as lakes and rivers, and inland waterways bear a unique set of responsibilities that are particular and peculiar to their physical operational areas. As such, as well as the usual law enforcement training required by respective jurisdictional LE organizations, the waterborne LE workforce is required to deliver security and safety in the dedicated area of marine regulation.

The Department of Homeland Security Small Vessel Security Strategy (SVSS) conveyed the need for specialized maritime law enforcement training in their April, 2008 report:

“ Law enforcement agencies face the challenge of distinguishing between the vast number of legitimate vessel operators and the relatively few individuals engaged in illicit activities. The challenge is immense, as it involves nearly 13 million registered U.S. recreational vessels, 82,000 fishing vessels, and 100,000 other commercial small vessels. On any given day, a considerable number of these boats share waterways with commercial and military traffic, operating at hundreds of U.S. Ports and in the immediate vicinity of critical maritime infrastructure, including bridges and waterfront facilities such as petrochemical plants.”

The Small Vessel Security Strategy (SVSS) envisions a coordinated effort of federal, state, local, and tribal authorities together with international partners, private industry, and recreational users to improve maritime security and safety. The SVSS also,

” Identifies specific goals where efforts can achieve the greatest risk reduction across the breadth of the maritime domain. Its guiding principles are that solutions shall be risk-based; education and training are the key tools for enhancing security and safety; and economic and national security needs will not be compromised.”

A July, 2010 report on Maritime Security by the U.S. Government Accountability Office (see Attachment 1) reported:

“The Coast Guard also conducts various activities to provide waterside security including boarding vessels, escorting vessels into ports, and enforcing fixed security zones, although they are not always able to meet standards related to these activities. Through its Operation Neptune Shield, the Coast Guard sets the standards for local Coast Guard units to meet for some of these security activities. Although the Coast Guard units may receive some assistance from other law enforcement agencies in carrying out these security activities, Coast Guard data indicates that some units are not able to meet these standards due to resource constraints.”

The RMLETC training program will enlarge the resource inventory comprised of LE units in the local, State and federal jurisdictions as follows:

18 - 20 December 2011

- **Federal:** Virtually every branch of the United States Military has waterborne assets. Many federal law enforcement agencies have officers working in waterborne environments that would benefit from and are supportive of such localized training. They include, but are not limited to, the United States Coast Guard, Federal Bureau of Investigation, Customs & Border Protection, Drug Enforcement Administration, Naval Criminal Intelligence Service, United States Secret Service, and the State Department of Diplomatic Service. Some of the aforementioned agencies have their largest field offices located west of the Mississippi.
- **State of California:** The State of California has over seventy local law enforcement agencies with waterborne law enforcement responsibilities that includes five commercial ports, more than 140 recreational marinas, and hundreds of navigable lakes and rivers.
- **Waterborne Law Enforcement Agencies, San Pedro Bay Port Complex:** Los Angeles Port Police Department, Los Angeles County Sheriff's Department, Long Beach Police Department, and the United States Coast Guard.

#### **Regional Maritime Law Enforcement Training Center Goals**

1. Provide a continuum of training to all waterborne LE personnel and cadre that equips them with the specialized knowledge and skills necessary to safely and competently accomplish their missions in the waterborne environment
2. Create a West Coast training location that is practically accessible to local, State and federal trainees
3. Annually certify specified numbers of LE officers in basic, intermediate and advanced maritime training, advanced S.W.A.T. training, and public safety dive training
4. Collaborate with the Federal Law Enforcement Training Center (FLETC) in the administration of and provision of waterborne LE courses
5. Reduce organizational liability arising from a failure to properly train personnel.

#### **Waterborne Law Enforcement Agency Responsibilities**

- Provide law enforcement security services to the cruise ship and passenger ferry industries. Those services include, but are not limited to, explosives and narcotics detection, response to cargo and passenger screening stations, receiving arrests for state & local crimes from USCG and CBP personnel, and investigating incidents onboard vessels that fall under local police jurisdiction.

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**18 - 20 December 2011**

- Participate in multi-agency task force operations such as the Border Enforcement Security Task Force, the Joint Terrorism Task Force, and the Cargo Theft Interdiction Program.
- Provide law enforcement and port security services for recreational vessels, commercial vessels, waterside businesses, critical facilities, marina's, recreational and public areas within the ports jurisdiction.
- Assist USCG with vessel boarding's, vessel escorts/security zone enforcement, law enforcement, and task force operations.
- Conduct on-the-water vessel stops to enforce local laws and conduct safety inspections.
- Conduct vessel collision investigations; state law mandates reporting for every accident involving fatality, injury or over \$500.00 in damages.
- Conduct emergent vessel tows such as persons or property at risk, vessel within a commercial shipping lane.
- Conduct search and rescue operations (collateral jurisdiction/responsibility).
- Collaborate with community and/or marina watch programs
- Provide terrorism awareness training to members of the port community.
- Respond to emergencies such as vessels adrift, sinking, injured person, person overboard, and fires.
- Respond to hazardous material incidents.
- Enforce environmental and pollution laws.
- Issue hazardous materials permits and conduct inspections.
- Issue dive permits.
- Conduct dive operations such as underwater inspections and search and recovery.
- Conduct sonar operations within the port to assist with bottom mapping related to mine counter measures.
- Maintain vigilance for suspicious and/or potential terrorist activity, report intelligence gathered, and take appropriate action to protect lives, safeguard property, and support the flow of commerce.

**Waterborne LE knowledge and skills requirements**

- Basic Boating - nautical terminology, vessel types, propulsion systems.
- Boating Laws & Regulations
- Equipment - Personal Flotation Devices, Flares, Fire Extinguishers, boat hooks, survival suits

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**18 - 20 December 2011**

- Navigation Rules
- Aids to Navigation
- Seamanship - how to pilot, dock, anchor, night/reduced visibility navigation
- Marlinespike (how to tie mariner knots)
- Boating Safety
- Water survival - swim assessment, resistive victim rescue, combative suspect in a waterborne environment
- Search & Rescue – USCG search patterns
- Vessel stops
- Vessel pursuits
- Vessel towing
- Emergencies on the water - vessel taking on water, onboard fires, medical emergencies afloat
- Weather - how to obtain, read, and understand weather reports for navigation in open water
- Electronics - Radars, chart plotters, radios and sounders
- Navigation/charting - how to read, understand, and use nautical charts
- Maritime terrorism, tactics and targets
- Underwater hazardous devices
- USCG security zone enforcement
  - High value assets (HVA's)
  - Targets of interest (TOI's)
  - Limited access areas - security zones, naval vessel protection zones, restricted waterfront areas, regulated navigation areas, safety zones
  - Maritime law governing enforcement efforts
  - Pre-arrival inspection of bridges & piers
  - Security zone tactical areas - boundary, intercept, reaction, sector, & patrol
  - Power & speed turning movements
  - Static versus moving security zone enforcement techniques
  - Escort types such as 2-4 boat, restricted channel, and varying asset
  - Screen boat duties
  - Reaction boat duties

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**18 - 20 December 2011**

- Vessel escort maneuvers - switching, loitering hand-off, drop back hand-off
- Boat tactics - shadowing, intercepting, herding, & shouldering
- Night/reduced visibility operations
- Weapons of mass destruction (WMD)
- Emergency First Aid - boating related injuries
- Maritime intelligence
- Commercial vessels
  - Familiarization
  - Boarding techniques & tactics
- Port operations
- Customs & Border Patrol
  - Cargo control
  - Cargo screening/security
  - Human/drug smuggling
  - Illegal immigration
- Incident Response & Management