

# Defense Investigators and the War on Terrorism

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The Defense Criminal Investigative Organizations (DCIOs) have a long history of providing criminal investigative and counterintelligence support to the Department of Defense and our nation. Criminal investigators, who are skilled in gathering information, collecting evidence, and interviewing people, are currently in great demand in the Global War on Terrorism. This article discusses the missions being supported and some of the challenges faced. While each of the DCIOs supports the war on terrorism, this article focuses on the contributions of the Naval Criminal Investigative Service, for which the author works. In publishing this article, it is hoped that readers will gain a greater appreciation for the contributions of the DCIOs, and that the sharing of lessons learned will strengthen that support in the future.

## Background

The Naval Criminal Investigative Service (NCIS) is responsible for conducting felony criminal investigations and counterintelligence activities in support of the Department of the Navy. The NCIS mission is to prevent terrorism, protect secrets, and reduce crime impacting the Navy and Marine Corps. The agency, headquartered in Washington, DC, and with over 150 offices worldwide, has just over 2,400 personnel; some 1,200 of whom are civilians credentialed as special agents. NCIS special agents are trained at the Federal Law Enforcement Center in Glynco, Georgia, as criminal

investigators. The skills possessed by these investigators - including interviewing and interrogating, processing crime scenes, developing informants, conducting protective security details, administering polygraphs and presenting cases for prosecution - have placed them in high demand as the nation responds to events in the wake of September 11, 2001. On any given day, NCIS personnel are deployed to Iraq, Afghanistan, Kuwait, Djibouti, Guantanamo Bay, Cuba, and elsewhere in support of the Global War on Terrorism.

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“NCIS was assigned the task of protecting the governors in Basra and Hillah.”

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NCIS personnel conduct criminal investigative, counterintelligence and counterterrorism activities around the globe on a daily basis, in close cooperation with the Navy and Marine Corps forces the agency supports. NCIS special agents deploy aboard all Navy aircraft carriers and with amphibious task forces. In overseas locations, NCIS agents work with local police and security services to identify and reduce threats to naval personnel, facilities and ships. NCIS agents routinely conduct advances before U.S. ships visit foreign ports to identify and mitigate security threats. NCIS is the primary organization within the Navy responsible for conducting personal protection operations for naval officials and visiting dignitaries. Thus, it was inevitable that NCIS and the other DCIOs would have a role in supporting military operations in Iraq.

## Protective Service Operations

As the first phase of military operations in Iraq ended in June 2003 and the U.S. began stability operations, the Department of Defense turned to NCIS and its Army and Air Force counterparts to protect the provincial governors of the Coalition Provisional Authority. NCIS was assigned the task of protecting the governors in Basra and Hillah. While this mission might normally go to the Department of State's Diplomatic Security Service, the State Department presence in Iraq was limited and stabilization activities, led by the Coalition Provisional Authority, were a DoD mission. This assignment provided unique challenges for the organization. Although NCIS has a long history of conducting protective service operations, including in Italy during the height of the Red Brigade's activity and in the Philippines in the late 1980s, the environment in Iraq required changes in tactics, training and equipment. Traditional protective service operations are designed to challenge a lone or small group of attackers and to cover and extract the protectee from the area of the threat. s

Routine operations use heavily armored vehicles that are not very maneuverable or designed for use on unimproved roads. Agents are traditionally armed with easily concealable pistols and submachine guns. Movements are intended to be low key, so as not to draw undue attention.

In Iraq, NCIS details were equipped with M-4 and MP-5 submachine guns to provide greater firepower and engage adversaries at a greater distance. Initially, NCIS had no Level IV body armor in its inventory. In addition, the supply of commercially available body armor was very limited, and NCIS was competing with the military services for what was available.

The agency chose to use light armored vehicles as they provide greater maneuverability than their heavier counterparts. In addition, despite its wartime support mission, NCIS is not equipped for these contingency missions and had to redirect the few existing lightly armored vehicles it possessed or procure them rapidly.

Use of tactical military vehicles was shunned as nonmilitary vehicles allowed the details some protection since the insurgents were at the time focused on primarily attacking military convoys.



*Then Secretary of the Navy Gordon England and his NCIS protective detail meeting Major General James Amos, USMC, in Al Asad, Iraq.*

Prior to the Global War on Terrorism, NCIS relied primarily on existent commercial and law enforcement communication infrastructures. But the limitations of this dependency became readily apparent with the missions to Iraq. The first teams deployed to the area found the communications infrastructure broken and of limited utility.

Tactical communications consisted of vehicle-to-vehicle radios, Iridium satellite telephones, and a handwritten listing of emergency contact numbers. Complicating the situation further was the limited interoperability between military radios, and the commercially available equipment.



Meeting the initial challenges required the installation of dedicated radio repeaters in Baghdad and Hillah. These systems greatly increased the range of operational communications, and bridged the gap until more permanent solutions could be introduced.

As the missions have expanded throughout Iraq and ultimately the globe, the agency has acquired a wide array of communications devices to meet a variety of exigencies. Tactical radios, encrypted satellite telephones, multi-band radios and portable satellite terminals have significantly improved the ability to operate in deployed environments.

The new weapons, vehicles, equipment and the fact that NCIS training for protective service operations had been limited for years due to budget constraints, necessitated refresher training for teams being deployed to Iraq. NCIS teamed with the Federal Law Enforcement Training Center (FLETC) to conduct the training at the latter's center in Artesia, New Mexico. The desert environment and range facilities there proved ideal in training for operations in Iraq. This training has since been provided to Marine Corps personnel deploying to the Horn of Africa, Iraq, and Afghanistan.

The provincial governors' jobs required regular interaction with local officials, and NCIS teams traveled frequently in their assigned sectors. Two teams of 8-12 agents were deployed originally for 45 days, but this was extended as the numbers required for this and other missions multiplied.

In the end, the protective deployments were capped at 90 days because of the fatigue associated with conducting these highly stressful operations. With the transition of the Coalition Provisional Authority governance to an elected Iraqi government, the NCIS protective service mission in Iraq has largely ended.



*NCIS personnel conducting high risk training operations.*

## **Additional Missions**

In addition to the personnel protection mission, NCIS personnel conducted other missions in Iraq. Special agents trained in computer crime were enlisted as part of the Iraqi Survey Group that searched the countryside for evidence of weapons of mass destruction.

NCIS cyber agents are specifically trained to seize, access and examine evidence contained on computers. They participated in raids on military bases and government facilities, allowing real-time exploitation of seized computer media. NCIS polygraphers have also been playing a significant role in the current war. Polygraphs were used prior to the war to vet Iraqi nationals willing to support U.S. military operations. Since the outbreak of hostilities, NCIS polygraphers have deployed to Iraq and Afghanistan to aid in the interrogation of detainees.

The polygraph has proven to be an effective tool in eliciting information. Faced with a shortage of personnel trained as polygraphers, and the fact that the initial polygraph training cycle lasts 1 year, NCIS has used special authorities to rehire retired polygraphers to meet its deployment requirements.





*NCIS special agent collecting evidence at an insurgent bomb-making site in Baghdad.*

Moreover, NCIS personnel have deployed to Iraq as part of the Strategic Counterintelligence Directorate (SCID).

The SCID incorporates NCIS, Air Force Office of Special Investigations, Army Intelligence and Security Command, and DoD Counterintelligence Field Activity personnel and operates in Baghdad, Irbil, Hillah, and Basra to counter foreign intelligence and terrorist activities. SCID personnel recruit informants, investigate terrorist attacks, process evidence from raids, and interrogate detainees.

SCID activities have resulted in the prevention of terrorist attacks, seizure of weapons caches, and the identification and arrest of insurgents. NCIS and other SCID personnel frequently operate with the Iraqi court system to support the prosecution of insurgents.

NCIS personnel are also in Iraq to provide felony criminal investigative support to the Marine Corps, which has a major presence in western Iraq. NCIS agents address the gamut of investigative requirements, from deaths due to improvised explosive devices, larceny of weapons and equipment, crimes against persons, and economic crime. NCIS investigations support the commander in maintaining good order and discipline among U.S. personnel and conserving the resources necessary for the war.

As was true in the case of personnel involved in protective service operations, NCIS recognized the need to better train its other deploying personnel to operate in a combat zone. While NCIS special agents accompanied naval forces during the Vietnam war, it is unusual for NCIS personnel to be deployed in support of a long-term land campaign without a clearly defined secure rear area.

In Iraq and Afghanistan it is not uncommon for agents to deploy via helicopter or convoy to the most remote areas to examine crime scenes, exhume bodies and collect evidence. NCIS once again teamed with FLETC to conduct a four week High Risk Operations Training Course. The course includes achieving proficiency in the firing of the M-4 and MP-5, small unit tactics to defend against insurgent attacks, counter-ambush driving, and combat first aid. Instruction is also provided in the Laws of War, including the proper handling of detainees, terrorist tactics and improvised explosive devices, and conducting investigations and collection activities in a combat environment. Students are required to conduct daily physical exercises and pass a physically challenging attack scenario in order to graduate and deploy.

The High Risk Operations Training Course has been well received by NCIS students and those from other agencies. FLETC, which is building a counterterrorism training facility on its Glynco facility, has used the course and the



lessons learned from NCIS deployments to develop new training scenarios and improve its facilities to better simulate the challenges of these missions.

Managing the logistic tail to these deployments also required innovation. The NCIS Middle East Field Office, located at Naval Support Activity Bahrain, developed a deployable office in an air-conditioned CONEX box to support temporary NCIS offices positioned forward in Kuwait and Iraq. The office in Kuwait became the entry and exit points for NCIS personnel deploying to Iraq. Here NCIS deployers were equipped with vehicles, firearms and body armor. Villas were rented to house personnel on temporary duty as a cheaper and more secure alternative to staying in hotels. Tachyon satellite communication systems were used for the first time to provide unclassified and classified computer connectivity back to the supporting field office in Bahrain.

Most recently, Ms. Dawn Sorenson, the NCIS Forensic Sciences Division Chief, deployed to Iraq to improve the ability of U.S. Marine forces to gather forensic evidence for more rapid exploitation. Ms. Sorenson and NCIS agents instructed the Marines on collecting fingerprints and other biometric data. She established a forward-positioned tactical forensic latent print laboratory to reduce the time required to analyze the collected material from weeks to hours. Military teams are finding that having the forensic results available during tactical interrogations provides them an additional tool that helps them corroborate other intelligence and often to elicit truthful responses from detainees.

Over 400 NCIS personnel have been trained for deployment to Iraq, Afghanistan, Kuwait, and the Horn of Africa in the last 3 years. Some personnel have deployed more than once; in some cases as many as three occasions. DoD regulations require that only emergency essential civilian employees deploy to combat areas and that those personnel should be volunteers if at all possible. NCIS recognized early on that sustaining the deployments would be a challenge as time went on. As a result, deployments have been lengthened from 60 to 120 days, with some managerial assignments lasting 180 days. NCIS developed a deployment avail-

ability roster (DAR) process, whereby all employees are requested to indicate their preference for missions planned for the next 4 to 6 months.

The DAR process allows employees to plan ahead several months and has

been able to fill all missions with volunteers. Augmenting the NCIS special agents have been naval reservists with law enforcement and intelligence backgrounds. Civilian personnel deploying to Iraq receive hazardous duty, post differential, and overtime pay. In addition to predeployment training, all NCIS personnel are debriefed upon mission completion by program managers and trainers to identify and rapidly implement lessons learned.

Returning personnel are also debriefed by NCIS staff psychologists to identify health issues and are granted administrative leave to complete the decompression and reacclimation processes. The NCIS Director or his senior staff officiates at periodic awards ceremonies where employees are recognized with a newly created NCIS deployment medal. These award

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ceremonies are frequently attended by Navy and Marine Corps flag or general officers and receive local media coverage.

Recognizing the long-term outlook for the GWOT and the impact of these deployments on NCIS operations, NCIS created a Contingency Response Field Office (CRFO) at Glynco, Georgia. The CRFO's mission is to train and deploy personnel for contingency missions such as those in Iraq and Afghanistan. The CRFO began to provide personnel for deployments to Iraq in 2005.

## Conclusion

The Global War on Terrorism has provided unique opportunities for Department of Defense criminal investigators to support the war effort around the globe. Deployments into Iraq and Afghanistan have been particularly challenging, necessitating changes in tactics, training, logistics and human resource processes.

Returning NCIS personnel are overwhelmingly positive about their deployment experiences. As federal law enforcement personnel, they have sworn to protect and serve others. During these deployments, DCIO personnel protect Iraqi civilians and U.S. military personnel and save lives on a daily basis.~

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## A Typical Homicide Investigation in Iraq

Special Agent Jennifer VanOoteghem was the case agent for a murder investigation in which a United States Marine Corps (USMC) Lieutenant was accused of killing two innocent Iraqi civilians without provocation.

As part of this investigation, which received intense worldwide media attention, Ms. VanOoteghem sought to obtain exhumation orders for the two Iraqi civilians who were killed. First, however, she had to locate the bodies. Without the benefit of an address system, Ms. VanOoteghem had to rely heavily on searching for landmarks and interviewing Iraqi citizens.

Her efforts to locate the bodies required her to travel via a heavily armed military convoy to the extremely dangerous and remote village of Al Mahmudiyah, Iraq, and a nearby primitive U.S. Army outpost, on several separate occasions. The outpost was under constant threat of mortar and rocket attacks by Iraqi insurgents.

On her first trip out to the crime scene, the convoy had to get off the highway and onto the frontage road where the incident occurred. When they left the highway, the convoy went down the entrance ramp the wrong way (the way they do in Iraq) and went a mile down to take some crime scene photographs.

Less than five minutes later, a different convoy came down the same highway and was hit by an improvised explosive device (IED). Apparently the IED was set up for the first convoy's return to the highway after they had passed through that area. The other convoy traveled the exact



path as Ms. VanOoteghem's, but hers made it through safely.

Ms. VanOoteghem traveled with copies of the Iraqi death certificates, photographs of the deceased Iraqis and an interpreter until bodies and families of the deceased men were located. On one of the trips to locate the grave sites, Ms. VanOoteghem's military convoy was forced to travel on alternate routes after several IEDs were discovered at the entrances and exits of the cemetery.

An Iraqi judge decided that, prior to issuing an order for the exhumation of the bodies, the families' consent to the exhumation would be required. The Iraqi burial rituals are very sacred, and their religion does not condone either autopsies or exhumations.

Ms. VanOoteghem visited the families to explain who she was and that she was investigating the death of their loved ones. She was very honest with them about the investigation and spent a great deal of time with them (five trips total), answering all of their questions and explaining what she was trying to do.

On each trip to visit the families, the Army Unit Ms. VanOoteghem worked and traveled with provided health care to sick children in the places they visited, and brought candy, snacks, clothes and toys to help ensure the families that their visits were with good intentions. When Ms. VanOoteghem explained to the families what U.S. forensic science could do, they were amazed. She told them that, unless they could determine for certain what had happened, that their loved one's name could be tainted as a terrorist.

As a result of her compassion and communication skills, both families provided consent for the exhumations, autopsies and transportation of the bodies to the Armed Forces Institute of Pathology in Dover, Delaware. One of the Fathers told her that he trusted her and to "please treat the remains of my son like they were your own brother."

Ms. VanOoteghem obtained the exhumation order from the Interim Iraqi Government, the first such order issued by the interim government. The bodies were then shipped to Delaware, where the autopsies were conducted.

The results of the autopsies corroborated the USMC Lieutenant's assertion that he shot the victims in self-defense, and all charges against him were dismissed. After the autopsies had been completed, Ms. VanOoteghem escorted

the bodies back to Iraq and, with her team, reburied the remains.

Then she visited the families to thank the families again, notify them of the reburials and advise them of the results of the autopsies. Even after Ms. VanOoteghem explained that the charges against the Marine lieutenant had been dismissed and that he would not be tried in the death of their loved ones, one of the fathers told her that he thought of her "as his daughter," and he prayed that God would send great blessings to her.

Both families also thanked her for her for all of her efforts and said that, although they were surprised at the findings, that they were satisfied that she had discovered the truth.



## About the Author

*Louis Beyer*



Louis J. Beyer received a bachelor's degree in electrical engineering and was commissioned an ensign in the U.S. Navy upon his graduation from the U.S. Naval Academy in 1979.

Mr. Beyer served on active duty with the United States Navy from 1979 to 1988 as both a surface warfare officer and an intelligence officer. His first operational assignment was with the tank loading ship USS Bristol County (LST-1198) as the Damage Control Assistant and Gunnery Officer.

He attended the Defense Intelligence College and earned his Master of Science in strategic intelligence in 1983. Mr. Beyer served as a collection operations officer from 1983 to 1985. During this time, he provided support to U.S. military operations in Lebanon and Grenada, participated in wartime contingency planning and exercises, and conducted evaluations of U.S. intelligence collection programs.

Mr. Beyer joined the Naval Criminal Investigative Service in June 1985 and served as a terrorism analyst and the

operations officer in the Navy's Antiterrorist Alert Center. After separating from active duty, Mr. Beyer returned in 1989 as the deputy chief and, subsequently, chief of the Antiterrorist Alert Center. His accomplishments included executing the Navy's response to the terrorist threat during the Persian Gulf War.

From 1992 to 2004, Mr. Beyer served as Assistant Director for Administration, Assistant Director for Financial Management, special assistant on the NCIS Strategic Planning Group, program manager and special assistant within the NCIS counterintelligence Directorate in the areas of systems/technology protection, counterintelligence analysis and production, and resource management. He assumed his current duties in August 2004.

## About the NCIS



In support of its mission - to prevent and solve crimes that threaten the warfighting capability of the U.S. Navy and Marine Corps - NCIS pursues three strategic priorities: Prevent Terrorism, Protect Secrets, and Reduce Crime.

NCIS is the primary law enforcement and counterintelligence arm of the United States Department of the Navy. It works closely with other local, state, federal, and foreign agencies to counter and investigate the most serious crimes: terrorism, espionage, computer intrusion, homicide, rape, child abuse, arson, procurement fraud, and more.