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THESIS

CIVIL-MILITARY RELATIONS
IN DOMESTIC SUPPORT OPERATIONS.
THE CALIFORNIA NATIONAL GUARD IN LOS ANGELES
1992 RIOTS AND NORTHRIDGE EARTHQUAKE OF 1994

by
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December 1997

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The main argument of the thesis is that the use of the California National Guard (CNG) in response to major emergencies has both advantages and disadvantages as a model for countries in transition, such as Ukraine. Furthermore, it argues that civil-military relations in domestic support operations (DSO) are a very important factor to consider when new democracies try to build an effective system of emergency management.

The author attempts to explain why the civil authorities, specifically in the United States, request military involvement in domestic emergencies while remaining suspicious about military involvement in domestic affairs. He discusses the reasons for military involvement in disaster relief and law enforcement operations, and the considerations and constraints by which the US federal legislation authorizes and limits it.

The study is based on two cases of DSO in which the CNG participated as one of the leading agencies: the 1992 Los Angeles Riots as an example of military assistance in a civil disturbance operation and the 1994 Northridge Earthquake as an example of a disaster assistance operation.

In the conclusion, the thesis provides recommendations about the applicability of the CNG's experience and organizational features for the emergency management systems in new democracies, particularly Ukraine.

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NORTHRIDGE EARTHQUAKE OF 1994**

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requirements for the degree of

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EXECUTIVE SUMMARY

The end of the Cold War era led to a discussion about the role of the military in non-combatant missions, particularly in domestic support operations. The thesis analyzes the performance of the California National Guard in two major types of domestic support operations: disaster assistance and law enforcement support.

The main argument of the thesis is that the use of the National Guard, and the California National Guard in particular, in response to major emergencies, has both advantages and disadvantages as a model for countries in transition, such as Ukraine. Furthermore, it argues that civil-military relations in domestic support operations are a very important factor to consider when new democracies try to build an effective system of civil emergency management. Specifically, it suggests that:

- the Californian model of military support to civilian authorities in civil disturbances and natural disasters is an effective and highly useful model of military participation in non-combatant missions;
- this mechanism of military support to civilian authorities in civil disturbances and natural disasters involves a dynamic process of learning from past experience, acquiring of high technologies and optimizing usage of scarce resources;
- military engagement in domestic support operations must be supported and limited by a sufficient legislative system that emphasizes principles of civil-military relations in democratic society.

The author attempts to explain why the civil authorities, specifically in the United States, request military involvement in domestic emergencies and at the same time remain suspicious about military involvement in domestic affairs. He discusses the reasons for military involvement in disaster relief and law enforcement operations as well as constraints by which the US federal legislation authorizes and limits it.

The study is based on two cases of domestic support operations in which the California National Guard participated as one of the leading agencies: the Los Angeles Riots of 1992 as an example of a military assistance to a civil disturbance operation and the Northridge Earthquake of 1994 as the example of a disaster assistance operation.

The cases were chosen by the author because they are recent illustrations of military response to large-scale emergencies, both of which happened in the same greater Los Angeles metropolitan area and demanded heavy military involvement. The author traced the changes in response strategy and implementation from one case to another. Each case study concludes by analyzing the lessons learned during different stages of emergency response operations such as planning, mobilization, initial response, and federalization of the guard.

In the conclusion, the thesis provides recommendations about the applicability of the California National Guard's experience and organizational features for the emergency management systems in Central and Eastern European countries, particularly Ukraine. These recommendations are based on some historical information about the evolution of the leading Ukrainian civil emergency agency and emerging California-Ukraine cooperation in emergency management.

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LIST OF ACRONYMS AND ABBREVIATIONS

| | |
|----------|---|
| Caltrans | California Department of Transportation |
| DOD | Department of Defense |
| DSO | Domestic Support Operations |
| EOC | Emergency Operations Center |
| FEMA | Federal Emergency Management Agency |
| JTF | Joint Task Force |
| LA | Los Angeles |
| LAPD | Los Angeles Police Department |
| LASD | Los Angeles Sheriff's Department |
| MACDIS | Military Assistance for Civil Disturbance |
| MSCA | Military Support to Civil Authorities |
| MOOTW | Military Operation other than War |
| NCO | Non-commissioned Officer |
| OES | Office of Emergency Services |
| SEMS | Standardized Emergency Management System |
| USC | United States Code |

I. INTRODUCTION

A. PREFACE

The development of the post-Cold-War conditions in the world has created an unusual situation in which the militaries of many countries are trying to justify for influential civilian elites and the public the preservation of their power and budgets or, in some countries, even the very right to exist. In this context the discussion of non-combatant use of the military in so-called military operations other than war (MOOTW) including domestic support operations (DSO) has become a significant one. While militaries from different regions look for guidance to the US experience and position, long-running, heated debates have been thriving in this most advanced democratic country of the world. A wide range of positions exists in the American establishment nowadays.

During the Cold War era domestic support operations were almost absent from the list of Pentagon's duties, and some argue that such a status quo should have been preserved afterwards.¹ Considerations about civil-military relations enter into this debate because there is a notion that non-combatant deployment of the military undermines its professionalism and politicizes it. Nevertheless, domestic support has always been one of the roles of the US military and has become even more important with the end of the Cold War. Acknowledging this fact, the US Congress passed several laws to increase the role of

¹ Christopher M. Schnaubelt, "Lessons in Command and Control from the Los Angeles Riots," *Parameters*, Vol. XXVII, No. 2, Summer 1997, p. 88.

the military in domestic support, and the National Command Authorities have reflected this new legislation package in the national defense strategy and their directions.²

The laws mentioned above, state that “the National Guard, while in the state status, has primary responsibility for providing initial support when military assistance is needed.”³ This statement has deep historical roots. From the first years of the republic, National Guardsmen were available both in war and peacetime, putting down uprisings such as Shay’s Rebellion in 1786-1787 and participating in hundreds of other missions helping their nation to build an advanced country. Disaster relief operations and law enforcement missions are usually perceived as its major domestic assignment of the National Guard, although the Guard now has a whole range of different activities in support of civil authorities.

Since the end of the Cold War a new regionally oriented national military strategy has been developed in the United States. This strategy together with the supporting Base Force Plan called for reduction in both active and reserve components of the armed forces, including the National Guard.⁴ These downsizing plans were not universally popular and “some questioned the wisdom of reducing the National Guard, primarily because of its

² *Domestic Support Operations. Field Manual & Fleet Marine Force Manual* (HQ Department of the Army, US Marine Corps, Washington D.C.: 1993), p. viii.

³ *Ibid.*

⁴ R. A. Brown, W. Fedorochko, Jr., and J. F. Schank, *Assessing the State and Federal Missions of the National Guard* (RAND, National Defense Research Institute, Santa Monica, CA: 1995), p. xiii.

state mission contribution.”⁵ A series of major domestic emergencies in the early 1990s aggravated concerns of both Guard leaders and State Governors about cutting the National Guard assets. Moreover, downsizing of the military may negatively affect a very important side of civil-military relations that emerges from everyday communication between the military and society.⁶ American scholars argue that because of “closed or consolidated bases, and less defense-related expenditures in local industries and universities, the military is drawing back and becoming more isolated, more removed from the daily life of many towns and cities throughout the nation.”⁷ In these conditions the role of the National Guard is invaluable in sustaining the bridge of mutual understanding between the military and the nation, keeping citizens involved in military affairs and thus aware of the necessity to maintain adequate defense machinery. Additionally, in order to mobilize support from the public and elites in peacetime, “the military should maintain a strong measure of visibility” by active participation in high profile missions such as disaster relief operations.⁸ The National Guard can provide very vivid illustrations of how the military can be a vital asset of the nation in peacetime too.

⁵ Ibid.

⁶ D. M. Snider, and M. A. Carlton-Carew, “The Current State of US Civil-Military Relations: An Introduction,” in their edited volume, *US Civil-Military Relations In Crisis or Transition?* (Washington D.C.: 1995), p. 11.

⁷ M. J. Eitelberg and R. D. Little, “Influential Elites and the American Military after the Cold War,” in D. M. Snider and M. A. Carlton-Carew eds., *US Civil-Military Relations In Crisis or Transition?* (Washington D.C.: 1995), p.46.

⁸ Ibid.

B. GOALS OF THE RESEARCH

In this thesis I will argue that the use of the National Guard, and the California National Guard in particular, in response to major emergencies, has both advantages and disadvantages as a model for the countries in transition, such as Ukraine. Furthermore, I will argue that civil-military relations in domestic support operations are a very important factor to consider when new democracies try to build an effective system of civil emergency planning, preparedness, and response. Specifically, I am going to suggest that:

- there is a direct link between the US organization of an emergency response system and the general process of US development as democratic and decentralized society;
- the Californian model of military support to civilian authorities in civil disturbances and natural disasters is an effective and highly useful mode of military participation in non-combatant missions;
- this mechanism of military support to civilian authorities in civil disturbances and natural disasters involves a very dynamic process of learning from past experience, acquiring of high technologies and optimizing usage of scarce resources;
- military engagement in domestic support operations must be supported and limited by a sufficient legislative system that emphasizes principles of civil-military relations in democratic society; and
- there ought to be established clear procedures for military deployment in domestic support operations.

C. METHODOLOGY

Domestic support missions are usually divided in four major categories: disaster assistance, law enforcement support, environmental assistance, and community assistance.⁹ In this thesis the two first and probably most important domestic support missions will be analyzed.

As a first major step of the thesis, I am going to investigate the theoretical and legislative framework for the military deployment in response to major emergencies. I will show that the US federal legislation as well as California state laws establish major principles of democratic civil-military relations, particularly the principle of civilian supremacy and civilian control over the military during such missions. What are the legislative authorities for the different deployment levels? What is the command-control relationship?

As a further major step I am going to analyze two case studies:

- Rodney King riots of 1992 in Los Angeles;
- Northridge earthquake of 1994.

For the first case a star model will be applied to analyze how the goals of the California National Guard as an organization were reached and what lessons were learned from the response to the both major emergencies. Key concepts of analysis are derived

⁹ *Domestic Support Operations. Field Manual FM100-19* (Washington, DC: July 1993), p. 1-3.

from the organizational theory and organizational behavior. The second case study will be based on the comparison with the first one.

For the purpose of the thesis, the major concern in these case studies is the performance of the California National Guard as an organization in DSO, and its relations with civilian authorities at the state level, federal level (including Department of Defense (DOD) and Federal Emergency Management Agency (FEMA)), and the public with the media. One of the objectives is to investigate Guard's performance in different stages: contingency planning and emergency preparedness, mobilization and deployment for emergency response, and support to civil authorities during the response phase. What are the implications for other countries, including Ukraine?

These particular emergencies were chosen for deeper analysis, for they give us:

- recent illustrations of large scale incidents during which newly established policy principles were implemented;
- a wide spectrum of scenarios involving disaster assistance as well as law enforcement support; and
- examples which happened in the same metropolitan area so we can trace the dynamics of emergency preparedness and response as well as the evolution of civil-military relations in a specific jurisdiction.

D. CASE STUDY

1. The Rodney King riots of 1992 in Los Angeles

The case of the Los Angeles Riots (hereafter “LA riots”) provides a very good example of military support to civil disturbances. This case is not a unique episode even for recent American history. Nor was the participation of the National Guard unusual from many points of view. Historically, the National Guard has always been among major responders to civil disturbances in the United States. Nevertheless, some features of the LA riots as well as the National Guard response had a unique character.

The Rodney King riots of 1992 in Los Angeles started on 29 April 1992 soon after an acquittal verdict was announced by the state court for all four police officers accused in the Rodney King police brutality case. Riots spread quickly and widely not only across many parts of the city and LA County, but also through other areas of the nation. Although the LA riots were not the biggest in terms of mass involvement, they “were the most destructive civil disturbance in US history, causing the deaths of at least 54 people and more than \$800 million in property damage through Los Angeles County.”¹⁰

By the end of the first day of riots the Mayor of Los Angeles requested aid from the state, and the Governor of California authorized activation of the state National Guard, which became one of the major responders to the emergency.¹¹ Ultimately, four

¹⁰ Schnaubelt, p. 90.

¹¹ Brown, Fedorochko, and Schank, p. 50.

days after the initial call-up almost 15,000 guardsmen were called to enforce the law.¹²

Taking this into account, the case is obviously a very interesting one in terms of the extent of military involvement.

From the military point of view the LA riots provide some other unique features: California Army National Guard (CANG) units responded to the emergency shoulder-to-shoulder with their active-duty counterparts under Joint Task Force (JTF) command; CANG troops which initially consisted of “part-time” guardsmen obtained a state active-duty status first under the command of the Governor, were then federalized and placed under the active component chain of command, after that returned to the state control, and finally returned to the original “part-time” status.¹³

2. The Northridge Earthquake of 1994

The Northridge earthquake of 1994 presents a clear case of military support in disaster relief operation. Early in the morning of January 17, 1994, a devastating earthquake struck the San Fernando Valley in Los Angeles. When the major quake and aftershocks were over, the casualty count consisted of 58 deaths, and the entire cost reached an outrageous sum of \$15 billion, the most expensive disaster in the nation's

¹² James D. Delk, *Fires & Furies - The Los Angeles Riots of 1992* (ETC Publications, Palm Springs, CA: 1995), p. 318. Major General (Ret.) Delk was the Military Field Commander for the LA riots in April-May 1992 prior to Guard federalization and the Commander of 40th Infantry Division (Mechanized).

¹³ Delk, p. 90.

history.¹⁴ On the day of the quake, the California National Guard was called in for a state service. Guardsmen were brought to perform different jobs, including patrolling public facilities and shops to deter looters, delivering and providing water to residents, and directing traffic at overwhelmed intersections.¹⁵ Californian guardsmen “built the six tent cities ... and its engineering, heavy equipment and combat engineering units often [were] ... asked for assistance.”¹⁶ They were there to “perform whatever duties local officials requested.”¹⁷ The Air National Guard was also involved shortly after the quake, helping transport emergency cargo and flying passengers such as doctors, firefighters, policemen, and other officials.

At the peak deployment, about 2,604 Guard troops were activated in California. Not only guardsmen, but also active-duty military from the US Army and marines actively participated in the disaster relief operation. The California National Guard was much better prepared for this disaster in comparison to the 1992 riots and received greater support from the authorities, including the State Governor.

¹⁴ Al Goldfarb, “Serving the Community in Times of Trouble: Natural Disaster,” *Parks & Recreation*, Vol. 29, No. 10, October, 1994, p. 58.

¹⁵ Jocelyn Y. Stewart, “National Guard to Erect Tent Cities,” *Los Angeles Times*, January 21, 1994, p. B-4.

¹⁶ “U.S. Military May Help Pay Reserve Crisis-Training Cost,” *Defense News*, May 15-21, 1995, p. 26.

¹⁷ Stewart, p. B-4.

E. SIGNIFICANCE OF THE STUDY

Different kinds of the MOOTW including domestic support operations are under consideration by many countries nowadays, including both developed western democracies and states in transition. When pondering engagement of armed forces in DSO, it is important to remember that civil-military relations are among the key issues for democratic process as well as for effective use of the military capabilities in peacetime.

New states that have appeared in Europe during the last decade are challenged to assert their independence in order to be fully integrated in the world community. On the other hand, they are on their own now to solve different security issues. Civil emergencies, which countries face regardless of the levels of their development or preparedness, represent threats to national security. This point was emphasized in the US National Security Strategy “Domestic Imperative,” which acknowledges that “national security must be viewed in the context of the nation’s well-being.”¹⁸ Governments responsible for security matters use all available means, including military organizations, to combat emergencies. The main problem is how to use them effectively without challenging basic principles of a democratic society, including the very sensitive area of civil-military relations.

According to Maxwell Alston, governments of the states in transition have several models to choose from for the national civil protection system: (1) the purely military

¹⁸ *Domestic Support Operations. Field Manual & Fleet Marine Force Manual*, p. viii.

model which existed in the former Soviet Union; (2) direct subordination of evolving civil protection organizations (Bulgaria, Czech, Romania, Slovenia etc.); (3) the ministry of interior model (Hungary, Slovakia, and Poland); (4) the ministry for emergencies model (Russia, Ukraine); (5) the emergency committee model (several CIS countries); (6) various Western European models, most of which tend to be like the ministry of interior model (see number three above); and (7) the US model.¹⁹

Since the end of the Cold War all the countries in transition have experimented with shifting the models, trying to adjust their emergency management systems to their peculiar national needs. Ukraine went from the Military Model to the Ministry for Emergencies through the Emergency Committee Model. At present, it does not seem that the reform process has stopped.

In this respect, California could contribute a great deal of experience and offer different solutions for Ukraine and others because:

- although California provides an accumulated emergency planning for the entire state, its emergency response system possesses a highly decentralized model while Ukraine still maintains a very centralized one. At the same time, the political system in numerous democratic countries such as the United States, Italy, and Spain is built upon the dispersal of power. In the majority of European states in transition,

¹⁹ Maxwell Alston, e-mail message to the author of thesis, 14 August 1997. Colonel (Ret.) Alston served in the Alabama Army National Guard. Now he is the Director for Emergency Planning, Office of Under Secretary of Defense (Security Policy).

centralized political authority and resources are being redistributed to the regions.

Since there are indications of this process in Ukrainian life as well, it is rational to forecast considerable changes towards decentralization in the national emergency preparedness and response system too;

- all kinds of major emergencies are possible in California, including earthquakes, floods, major wild fires, industrial incidents; and it has vast experience of response to them;
- California and Ukraine are on the first stage of intensive military cooperation in the Partnership for Peace framework; one of the major and most intensive fields of collaboration is emergency response; and
- Californian's integration into the federal system - its mutual aid agreements with neighboring states in particular - might be a good example of integration to similar regional systems of the European community and interrelations between central and eastern European as well as any other countries in the field of emergency preparedness, response, and recovery.

At the same time one should remember that California is a unique American state in terms of its potentialities, including economics and a very diversified culture. Moreover, an example of California National Guard may not be representative of a state National Guard. Taking this into account one has to be cautious in applying California's experience to his or her country.

II. MILITARY INVOLVEMENT IN DISASTER RELIEF AND LAW ENFORCEMENT OPERATIONS

A. INTRODUCTION

More than two hundred years ago, the US national leaders decided to use the military in non-combat roles like disaster relief or response to civil disturbances. Although this practice went through different stages, was discussed and criticized, it gained more substantive legal basis and is used extensively in the modern times. At the same time, because of long-running societal distrust of military involvement in politics, the United States has placed careful limits on what the military can do in domestic support operations. This influences both policies and implementation of military involvement in this type of missions.

This chapter discusses federal legal provisions and constraints for domestic support operations including general principles of civilian control over the military as well as the reasons for the military involvement in domestic support operations.

B. REASONS FOR MILITARY INVOLVEMENT IN DISASTER RELIEF AND LAW ENFORCEMENT OPERATIONS

Civilian authorities call for military help in domestic support operations because the defense agencies have various attributes, among which the most obvious may be their organizational structure and readiness that allow defense agencies to respond quickly,

highly developed logistical support which provides self-sufficiency, and, finally, physical assets.

There are many countries around the globe in which the military can provide the unique operational, material and organizational capabilities, expertise or experience for military support to civil authorities both at home and abroad. The US military is prepared to operate in areas where there is no infrastructure or logistic support. They are also trained for crisis action response. The US DOD possesses rapid response capability, airborne and logistical capacities to respond to challenges as they arise around the national territory.

In terms of physical assets, the military is often regarded as an infinite source of assistance. Among the most desired assets are transport (land, sea and air); fuel; communications; commodities, including food, building supplies and medicines; tools and equipment; manpower; technical assistance (especially logistics and communications); and facilities. Requests can run the entire spectrum from the intimate, like delousing equipment, to the quite ordinary, like maps; from cheap items like soap, to highly sophisticated items like bulldozers; from off-the-shelf items like tents, to items that must be specially produced such as aerial photographs. Relief authorities know the military has the capability of providing these on request and, in a resource-poor post-disaster environment, it is not unreasonable for civil authorities to request them. Since many of the items are commonly stockpiled and since civil disaster agencies have few stockpiles of

their own, especially in the developing countries, demands can be quite extensive.²⁰

Furthermore, in time-sensitive post-disaster situations military can deliver their own and civilian physical assets to virtually anywhere in the shortest possible period of time.

From this perspective, the National Guard is a unique organization. Its relatively heavier logistical structure in comparison to other US military branches is always available to state and local authorities to provide any sorts of assistance. In addition, it is an extremely cost-effective tool. Finally, it receives explicit training to respond to different kinds of emergencies and provides a diverse range of crisis assistance and relief services. The National Guard's experience in dealing with emergencies is extensive since the guard's units respond to them on a day-by-day basis. Many US communities rely to a great degree on the Guard's emergency assistance and without its help would be overwhelmed by any type of major contingency. For instance, while FEMA is responsible for the federal inter-agency coordination, the Guard in many states, in its turn, assumes primary coordination between the state agencies and the federal level. In some states it is a law that the Guard's adjutant general is a first point of contact with FEMA.²¹

Domestic support operations are important to the National Guard as well, because as Lt. Col. Bruce Roy, spokesman for the California National Guard in Sacramento, said, "Guard units across the nation, including the California National Guard, are looking for

²⁰ Leon Gordenker and Thomas G. Weiss ed., *Soldiers, Peacekeepers and Disasters* (St. Martins Press, New York, N.Y.: 1991), p.57.

²¹ *The National Guard: Defending the Nation and the States* (US Advisory Commission on Intergovernmental Relations, Washington, DC: April 1993), p. 35.

ways to expand their civilian support role in part because the Guard competes for resources with other military components.”²²

Military engagement in domestic support operations is advantageous in many ways for all sides concerned as well as for civil-military relations. It keeps the military busy, which contributes to its level of training and readiness; furthermore, it increases the visibility of the military and simultaneously brings political dividends to civil authorities.

C. LEGAL CONSIDERATIONS AND CONSTRAINTS

The legal basis for military deployment in domestic support operations rests upon a wide range of provisions including constitutional and statutory authorities as well as other kinds of regulation, including memoranda of agreement and understanding between federal departments and state agencies.

Military support to civil authorities is one of its crucial missions grounded in the provisions of the US Constitution, which states that “Congress shall have power ... to provide for calling forth the militia to execute laws of the union, suppress insurrection, and repel invasions” (Art. I, Section 8).²³ Moreover, the Constitution emphasizes the role of the national military in law enforcement operations: “The United States shall guarantee to

²² “U.S. Military May Help Pay Reserve Crisis-Training Cost,” *Defense News*, May 15-21, 1995, p. 26.

²³ Michael J. Mendenhall, *The Constitution of the United States of America: The Definitive Edition* (The Institute for Constitutional Research, Monterey, CA: 1990), pp. 7-8.

every state in this union a republican form of government, and shall protect each of them ... against domestic violence” (Art. IV, Section 4).²⁴

1. **Civilian Control over the Military**

The Constitution, US laws, regulations, policies, and other legal provisions establish the legal framework and limits on the use of federal military personnel in domestic support operations.

The Constitution of the United States authorizes Congress “to raise and support Armies,” as well as “to provide and maintain a Navy”(Art. I, Section 8), and make rules for exercising authority over them.²⁵ The Constitution places the military under civilian control and designates the President as commander-in-chief. Statutes provide for civilian leadership in the form of a secretary of defense, service secretaries, and various other civilian authorities to oversee the military. The US Congress approves the civilian leaders nominated by the President, mandates the funding for the military, and directs and supervises the spending of those funds.

At the state level, the elected civilian governor is commander-in-chief of the state National Guard and usually appoints the Adjutant General to oversee the Army and Air National Guard units.²⁶

²⁴ Ibid., p. 17.

²⁵ Ibid., pp. 7-8.

²⁶ John P. Infante, *Sharing Democracy with the World. The International Role of the National Guard* (On-line, National Guard Bureau Homepage, <http://www.ngb.dtic.mil>: April 1997).

The unique capabilities of the military enable it to support federal, state, or local civilian agencies. In most circumstances, the DOD is one of many federal agencies reacting to a domestic emergency or crisis, playing a subordinate, supporting role to a lead, civilian agency.²⁷

The principle “last in, first out” is a defining one for the military participation in law enforcement operations. It means that the civil authorities can use military assets only as a last resort, when civil resources are overwhelmed by an emergency. At the same time military assets should be released when additional civil assets become available. In disaster assistance missions, functions carried out by the military “must be transferred to civilian organizations as soon as practical,”²⁸ for the military should not compete with the private businesses recovering economy in the aftermath of an emergency.

2. Federal Legal Framework for the Domestic Support Operations

The list of federal legal provisions that defines deployment of the military in domestic support operations is subject to constant change and revision. It includes statutes, Executive Orders and National Security Directives, the code of federal regulations, DOD directives, etc. Contemporary interpretation of federal support to state and local authorities is grounded in the *Robert T. Stafford Disaster Relief and Emergency*

²⁷ *Domestic Support Operations. Field Manual FM100-19*, p.3-0.

²⁸ *Domestic Support Operations. Situational Manual* (Washington D.C.: 1994) p. 37.

Assistance Act as well as in the Economy Act.²⁹ The latter provides authorization to federal agencies to loan supplies, equipment, and materials to each other for a temporary period if reimbursed.³⁰

a. ***The Robert T. Stafford Disaster Relief and Emergency Assistance Act***

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, 42 USC 5121, et seq., provides for “an orderly and continuing means of assistance by the Federal Government to State and local governments in carrying out their responsibilities to alleviate the suffering and damage which result from ... disasters.”³¹ Among the main objectives of the Act are: (1) development of comprehensive disaster preparedness and relief assistance plans, programs and capabilities; (2) encouragement of individuals, States, and local governments to protect themselves by obtaining insurance coverage to supplement or replace governmental assistance; and (3) support for hazard mitigation measures.

Under the provisions of the Act the President may declare an “emergency” or “major disaster.” At the same time the Act provides procedures for those declarations as well as the general framework for mobilization of the federal assets. After the formal

²⁹ David L. Grange and Rodney L. Johnson, “Forgotten Mission: Military Support to the Nation,” *Joint Force Quarterly*, June 1997, pp. 108-109.

³⁰ *Domestic Support Operations. Situation Manual*, p. 19.

³¹ *The Robert T. Stafford Disaster Assistance and Emergency Relief Act*, as amended, 42 USC 5121, et seq. (On-line, FEMA Homepage, <http://www.fema.gov/home/LAWS/Stafact.htm>; September 1997), p. 9.

declaration of an emergency or major disaster, the President can call in federal agencies including the DOD for assistance in a disaster relief operation. In addition he also authorizes to use military assets for “emergency work” lasting up to 10 days before declaring either an emergency or major disaster.³²

One of the key elements of the disaster planning system under the *Stafford Act* is the Federal Response Plan, which prescribes necessary procedures for emergency preparedness and response, and designates different federal and non-governmental agencies for twelve emergency support functions (such as transportation, communication, and fire fighting). The DOD is the primary agency responsible for management of public works and engineering and is an aiding agency for the rest of emergency support functions.³³

b. The Posse Comitatus Act

Use of the military in law enforcement operations is significantly restricted by federal legislation. *The Posse Comitatus Act* prohibits the utilization of the US Army and Air Force to perform law enforcement functions within the United States or to execute its laws. Moreover, the DOD included the US Navy and Marine Corps within this prohibition.³⁴ However, the Act does not apply to representatives of the National Guard

³² *Domestic Support Operations. Situation Manual*, p. 20; *Domestic Support Operations. Field Manual FM100-19*, p.3-2.

³³ *Domestic Support Operations. Situation Manual*, pp. 30-31.

³⁴ *Domestic Support Operations. Field Manual FM100-19*, p.3-1.

until the very moment when they are called upon for a federal active duty and become federal troops.

In addition, there are both Constitutional and statutory exclusions from the Act. Constitutional exceptions include two cases when it is permitted to use the federal military to support law enforcement operations: “when necessary to protect civilian property and functions and when necessary to protect federal property and functions.”³⁵ In these exemptions, the President has the authority to use military force to support state governments. Military troops can be utilized in a few instances only: to quell civil disturbances, to enforce federal laws, to guarantee civil rights of the citizens or to enforce court orders.³⁶

Statutory exceptions permit the armed forces to arrange limited support to law enforcement agencies indirectly by providing equipment, facilities and other services. Some resources generated by the annual National Defense Authorization Act have been used mostly for drug interdiction.³⁷

When the National Guard responds to disasters and civil emergencies it normally has state active duty status, which means its missions are restricted by state law, authorized by a state governor, and controlled by state authorities; all mission costs are reimbursed from the state budget. State legislation allows the Guard to perform law enforcement support, which is one of its primary functions. This is very important,

³⁵ Ibid., p.3-1.

³⁶ USC Title 10, Chapter 15, Sections 331-333.

³⁷ *Domestic Support Operations. Field Manual FM100-19*, pp.3-1—3-2.

because law enforcement remains among key response efforts whether it is a natural disaster or civil disturbance.³⁸ After the federalization, i.e., transition to federal active duty status, Guard missions are subject to federal legislation and control. As any other active duty service of the federal armed forces the National Guard becomes bound by *the Posse Comitatus Act* and loses the ability to act as a law enforcement agency.³⁹ At that moment the Governor loses one of his/her main resources.

There are other federal statutes that determine and restrict employment of the federal armed forces in domestic support operations. *The Communication Act* of 1934, *the Earthquake Hazards Reduction Act* of 1997, and *the Federal Civil Defense Act* of 1950 are among them.

3. Military Regulation

The two most important DOD directives that guide the military in domestic support operations are: *Directive 3025.15, Military Support to Civil Authorities* (February 18, 1997), and *Directive 3025.12, Military Assistance for Civil Disturbances* (February 4, 1994). The first one lays out the policy of the DOD on military assistance to civilian authorities during any kind of emergency. The second directive summarizes the Pentagon's role in response to domestic political violence.

³⁸ Melissa Mathiasen, *Military Support to Civil Authorities. National Guard MSCA Lessons* (National Interagency Counterdrug Institute, San Luis Obispo, CA: 1 September 1995), p. 20.

³⁹ *Operations Other Than War. Volume II. Disaster Assistance* (Center for Army Lessons Learned, US Army Combined ARMS Command, Fort Leavenworth, KS: October 1993), p.IX-1.

There are several requirements determined by these directives:

- Deployment of the defense resources in disaster relief and law enforcement operations should not undermine the overall combat readiness of the US military.
- Since military assistance to civil authorities is not considered the primary defense mission, military assets cannot be purchased, stockpiled, or developed only and specifically to respond to emergencies.
- In most instances the role of the military is to supplement civil resources that play the leading role in disaster relief, while military personnel remain in their military chain of command.⁴⁰

When the primary military objective fades in the absence of a visible enemy, there is a danger that military resources will be used entirely for auxiliary purposes, which can be harmful for the military as an institution. The above mentioned postulates clearly define that defending the Republic is the principal US military mission and none of its other missions can interfere with the major one. Thus, they limit possible public demands for defense resources and help to keep civil-military relations healthy.

D. CONCLUSION

Civilian authorities call for military assistance in domestic support operations because defense agencies have numerous critical resources and their use can be very beneficial. Organizational structure and readiness, highly developed logistical support, and

⁴⁰ *Domestic Support Operations. Situation Manual*, p. 22

physical assets of the armed forces are among those attributes. Additionally, in many circumstances military assets may be the only resource immediately available to a government in the aftermath of an emergency and a civilian community could be further devastated without military aid.

This role of the US military is reflected in its legislation, which designates the US DOD as one of the key agencies in the national emergency preparedness system.

Although US society needs to deploy its armed forces for internal emergencies, it has placed careful limits on what the military can do in domestic affairs. Consequently, the whole system of civil-military relations in domestic support operations is based upon civilian supremacy, control, and leadership and is enshrined in US regulations and legislation starting with the Constitution.

This system proved to be effective in constraining and limiting the role of the military in domestic policy, and may be considered as an example for the countries in transition to democracy.

III. MILITARY ASSISTANCE FOR CIVIL DISTURBANCES. CASE STUDY: THE RODNEY KING 1992 RIOTS IN LOS ANGELES

A. INTRODUCTION

Historically, the National Guard has always responded to civil disturbances in the United States. Together with the police it undoubtedly has the most extensive experience in dealing with domestic political violence among all governmental agencies including the other military services. Moreover, a common perception is that the National Guard is the single agency in the United States “with sufficient personnel and equipment to assist local police in riot-control operations.”⁴¹

In the decentralized US emergency response system, “the primary responsibility for protection of life and property and the maintenance of law and order is vested in state and local governments.”⁴² The Federal Government may take this duty upon itself only as a last resort, in certain limited instances. The governor of the affected state assesses the situation and, if necessary, provides state police and National Guard forces to assist local officials in restoring law and order. But beforehand, the assets of the local law enforcement agencies have to be exhausted. In the case of California, according to its State Law Enforcement Mutual Aid Plan, cities and counties first receive help from their

⁴¹ *The National Guard: Defending the Nation and the States*, p. 37.

⁴² *Domestic Support Operations. Situational Manual*, p. 32.

neighboring jurisdictions. When the conditions of domestic political violence and disorder endanger life and property to the extent that state law enforcement agencies are unable to suppress and restore law and order, the Governor requests federal assistance from the President. Under its inherent authority, the US Government is responsible for preserving public order and carrying out governmental operations. The purpose of federal intervention is to augment, not to replace, state and local law enforcement. The Los Angeles riots went through all three stages: from local to state and then to federal emergency. Therefore this case provides a fascinating example of how the system worked in terms of the changing jurisdiction and chain of command.

The purpose of this chapter is to analyze the California National Guard's response during the Los Angeles riots of 1992. For this case a star model will be applied to study how the goals of the California National Guard were reached and what lessons were learned from the response to the emergency. A key concept of analysis is derived from the organizational theory and organizational behavior.

Jay Galbraith's star model articulates the importance of coherence among the organizational goals, the technological processes of their accomplishment, including information and decision making processes, organizational structure, the people who staff the organization, and the reward system emphasizing also environmental and cultural contexts. For any organization to be effective, all six cornerstones or rays of the star (goals, structure, processes, people, rewards, and culture) must work in unison.⁴³ In this

⁴³ Jay R. Galbraith, *Organization Design* (Addison-Wesley Publishing, Reading, MA: 1977), pp.1-30

case study I am going to use the star model as an instrument that allows us to look systematically at different facets of organization. I will draw a star to provide a general picture of the National Guard as an organization for further more elaborated analysis of the consequent stages of its response to LA riots. The general diagram of a star model is shown on the Figure 1.

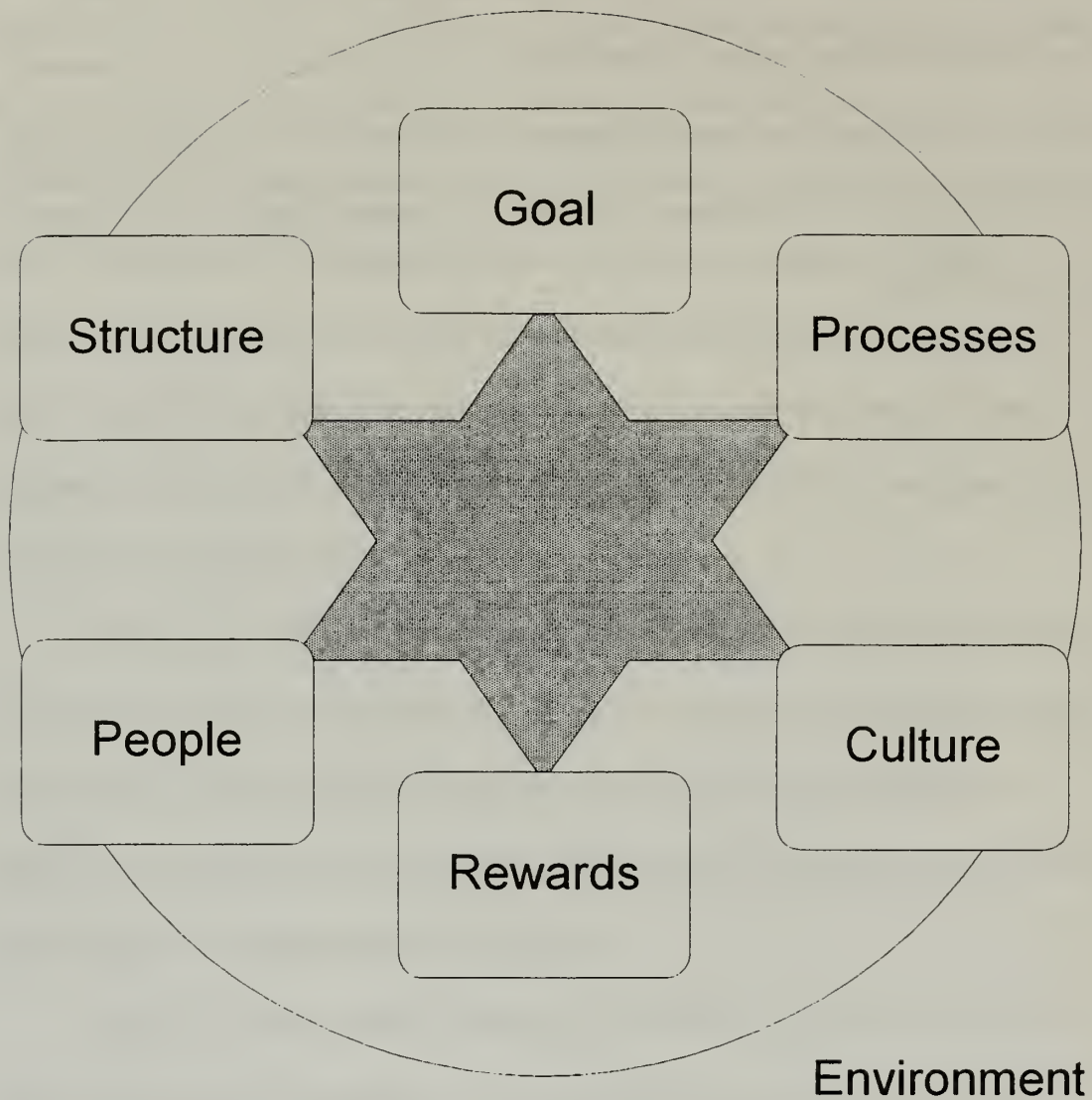


Figure 1. Star Model of an Organization

Source: Jay R. Galbraith, *Organization Design*, (Addison-Wesley Publishing, Reading, MA: 1977), pp. 1-30. Eric Jansen, notes for the course *Organization and Management* at Naval Postgraduate School.

B. THE COURSE OF THE EVENTS

The Rodney King Riots of 1992 in Los Angeles (LA riots) started on 29 April 1992 after acquittal verdicts were announced by the state court for four police officers accused in the Rodney King police brutality case. Riots spread quickly and widely not only across many parts of the city and LA County, but also throughout other areas of the nation, including San Francisco, Seattle, New York, and Atlanta.⁴⁴ Although the LA riots were not the biggest in terms of mass involvement, they “were the most destructive civil disturbance in US history.”⁴⁵ When the riots were over, at least 54 people were killed, 2,813 injured, 13,312 arrested, and property damage totaled about \$800 million throughout Los Angeles County.⁴⁶ In a compressed form the chronology of the LA riots is shown in Table 1.

⁴⁴ Clark Staten, “LA Insurrection Surpasses 1965 Watts Riots, 38 Dead, More than 1,200 Injured” (Emergency Net News Service, Emergency Response and Research Institute, Chicago, IL: July 1997).

⁴⁵ Schnaubelt, p. 90.

⁴⁶ William Mendel, “Combat in Cities: the LA Riots and Operation Rio” (On-line, <http://leav-www.army.mil/fmsso/lic/pubs/rio.htm>: June 1997), p.1.

Table 1. Sequence of the LA Riots

| | | |
|------------------|------|---|
| 29 April | 1515 | Acquittal verdicts announced in the trial of police officers accused of beating Rodney King |
| | 1850 | Rioters beat and nearly kill truck driver Reginald Denny as a television crew captured both the horror of the incident and the absence of Los Angeles Police Department (LAPD) officers. Hundreds of arson and looting incidents begin. |
| | 2100 | The California Governor's office informs the adjutant general that the governor has decided to mobilize (call to the state active duty) 2000 California National Guard (Guard) troops at the request of the LA mayor. |
| 30 April | | A dusk-to-dawn curfew is imposed in large portions of the city of LA and the surrounding county. |
| | 0400 | Approximately 200 Guard soldiers have reported to armories. |
| | 1100 | Los Angeles County requests 2000 more Guard personnel; the governor approves the request. |
| | 1350 | Ammunition from Camp Roberts (in central California) arrives in LA area via CH-47 helicopter. |
| | 1435 | The first Guard elements (two military police companies) deploy in support of the LAPD and the Los Angeles Sheriff Department (LASD). |
| | 2000 | About 1000 Guard troops are currently deployed "on the street," with 1000 more prepared to deploy and waiting for mission requests from law enforcement agencies. |
| | 2356 | LAPD and LASD request 2000 additional Guard troops, for a total of 6000, and receive approval. |
| 1 May | 0100 | Perceiving the Guard deployment to be slow, the governor requests for federal troops. |
| | 0515 | The President agrees to deploy 4000 federal troops to LA. |
| | 0630 | Approximately 1220 Guard soldiers are deployed in support to LAPD; 1600 are deployed in support to LASD; and 2700 more are in reserve awaiting missions. |
| | 1430 | Active component Marines from Camp Pendleton, California begin arriving in the LA area via convoy. |
| | 1630 | Commander, JTF-LA, arrives in the LA area. |
| | 1730 | Active component soldiers from Fort Ord, California, begin arriving in the LA area via C-141 aircraft. |
| | 1800 | The President announces that the Guard will be federalized. |
| 2 May | 0400 | Final plane with active component soldiers arrive |
| | 1100 | Approximately 6150 Guard troops are deployed on the street, with 1000 more in reserve; 1850 soldiers from the 7th Infantry Division are in staging areas; Marines prepare for deployment. |
| | 1900 | First active component troops deploy on the street; a battalion of Marines replaces 600 Guard soldiers. |
| | 2359 | More than 6900 Guard soldiers are deployed, with 2700 more in reserve. Approximately 600 Marines are deployed, but most active component Army and Marine Corps personnel remain in staging areas. |
| | | |
| 9 May | 1200 | The Guard reverts to state status, ending federalization; active component forces begin redeployment home. |
| 13-27 May | | The Guard releases troops from state active duty, returning them to "part-time" status. |

Source: C. M. Schnaubelt, "Lessons in Command and Control from the Los Angeles Riots," *Parameters*, Vol. XXVII, No. 2, Summer 1997, p. 91

Within a couple of hours after the verdicts were announced, disorders began not far from the area where bloody events of the Watts riots took place in 1965. The situation quickly changed to an extremely violent one, and when the police were called at approximately 1630, a crowd already was “assaulting pedestrians, pelting vehicles with bricks and rocks, and smashing shop windows.”⁴⁷ Unfortunately, the police did not manage to localize the situation by using all means and assets available, but swiftly retreated from the area, which caused further deterioration of the situation.

By the end of the first day of the riots, the Los Angeles authorities requested state assistance, and Pete Wilson, Governor of California, initiated the mobilization of the state National Guard,⁴⁸ which soon became the most numerous responding force. Ultimately, four days after initial activation, 10,456 Guard soldiers and airmen were called up to enforce the law.⁴⁹ In addition, active duty Marines and US Army personnel were deployed to reinforce the police and the National Guard. In total 2,023 active duty soldiers and 1,508 Marines participated in assistance to restore peace and order in Los Angeles County.⁵⁰ Taking this into account, the case is obviously a very interesting one in terms of massive military involvement, though not an absolutely unique one. For instance, the Watts riots of 1965, which lasted six days, were quelled by the extensive involvement of

⁴⁷ Schnaubelt, p. 90.

⁴⁸ Brown, Fedorochko, and Schank, p. 50.

⁴⁹ Mendel, p. 3.

⁵⁰ *Ibid.*, p.4.

police and almost 14,000 National Guardsmen.⁵¹ However, the 1992 LA riots serve as a recent example of major deployment of the California National Guard in terms of working days for the state mission even discounting the period of its federalization. Some of the guardsmen were stationed in Los Angeles for more than two weeks. In its report, *Assessing the State and Federal Missions of the National Guard*, the RAND Corporation estimated that the California National Guard support for law enforcement in 1992-1993 “accounted for almost seventy percent of the total five year state [active] duty experience.” This was “extraordinary in both the experience of California and the nation.”⁵² One other fact is very important: national guardsmen were called in not for several days as usually happens, but for a number of weeks, which eventually created for the citizen-soldiers numerous problems connected with their salaries, employment, and families.

C. CASE ANALYSIS

1. Star Model

The main goal of the National Guard during its response to the LA riots was to help civil authorities to restore peace and order in the Los Angeles metropolitan area. This goal was supposed to be achieved through the processes of quick mobilization, law enforcement request approval and deployment of troops to the streets to perform law

⁵¹ Delk, p. 2.

⁵² Brown, Fedorochko, and Schank, p. 50.

enforcement support missions. These missions included “crowd control, traffic control, perimeter security, protection of public safety employees such as firefighters, area security or roving patrols.”⁵³

The structure of the Field Military Command assigned to support law enforcement agencies in the Los Angeles area will be discussed later in this chapter. Nevertheless, it is important to mention here that the organization of the military command was not static during the riots. The major change happened when the National Guard was federalized.

In terms of the “people” point of the star model, since the introduction of the all-volunteer force in the 1970s, the quality of the human resources in the National Guard has improved significantly. The prestige of the military soared in the United States and the soldiers of the 1990s were considerably more respected than those who quelled the Watts riots in 1965.⁵⁴ Moreover, the downsizing of the military allowed selection standards to be raised. New military manpower policies had emphasized investing in people: careful selection, hiring the right ones, and rewarding people. However, although they were highly trained as military personnel, the guardsmen had not received enough specific anti-riot training to prepare them for what they faced in Los Angeles.

The reward system of the National Guard is a very important topic to discuss, but it requires significant additional research and can become a theme for another study. There are only a couple of issues I would like to mention. First, one of the very important

⁵³ From the Rules of Engagement (Delk, p.341).

⁵⁴ “Brief History of Militia and National Guard,” (On-line, <http://www.dtic.mil/defense/defenselink/guardlink/>: 6 May 1997).

intrinsic rewards that any military service, including the National Guard, gives to its personnel is the sense of belonging. Almost every guardsman interviewed for this study referred to the California National Guard as one big family. They are proud to be members of the family, which has long meaningful historic traditions, is a substantial part of modern armed forces and has useful domestic duties.⁵⁵ The guardsmen serve together for many years, which allows them to understand each other. The majority of the Guard officer corps remain in their state for their entire military careers. Leaders are aware of the strengths and weaknesses of their subordinates and this is used as a basis for promotions. (In contrast, in the active duty army annual performance evaluation reports are most important for promotions. Thus one negative report in most cases means the end of a career.⁵⁶) The same family spirit facilitates guardsmen's service in the stressful, sometimes dangerous environment of DSO. This eventually helps them to achieve their goals.

Second, the lengthy deployment of guardsmen over the LA riots led to sad consequences such as divorces, firing from jobs, problems with student status, etc. Those frustrations discouraged soldiers. Thus the principle "last in, first out" should always be considered as a one of the highest priority for the military. In addition, there were also different problems with payments of salaries, worsened by the change of the pay status

⁵⁵ From the interview with Lieutenant Colonel M.-A. Coppernoll, Liaison, The Army National Guard, 15 November 1997.

⁵⁶ From the interview with James D. Delk

when the troops were federalized and then returned back to the state duty. As a result many soldiers lost their credit privileges.⁵⁷

The cultural context in which the California National Guard exists and operates can be viewed as a crossroads of a rich multiethnic Californian culture and long historical traditions of the National Guard that are older than the nation itself. The fundamental concept upon which the National Guard is based is a borrowed from the Great Britain and enriched by the US democracy tradition of a citizen-soldier.⁵⁸ The National Guard derives its strength from the American citizens who are ready to serve their neighborhood, community, state, and nation. They are part of these communities and, therefore, supported by the public.

The star model is illustrated on the Figure 2.

⁵⁷ Delk, p. 319.

⁵⁸ "Brief History of Militia and National Guard".

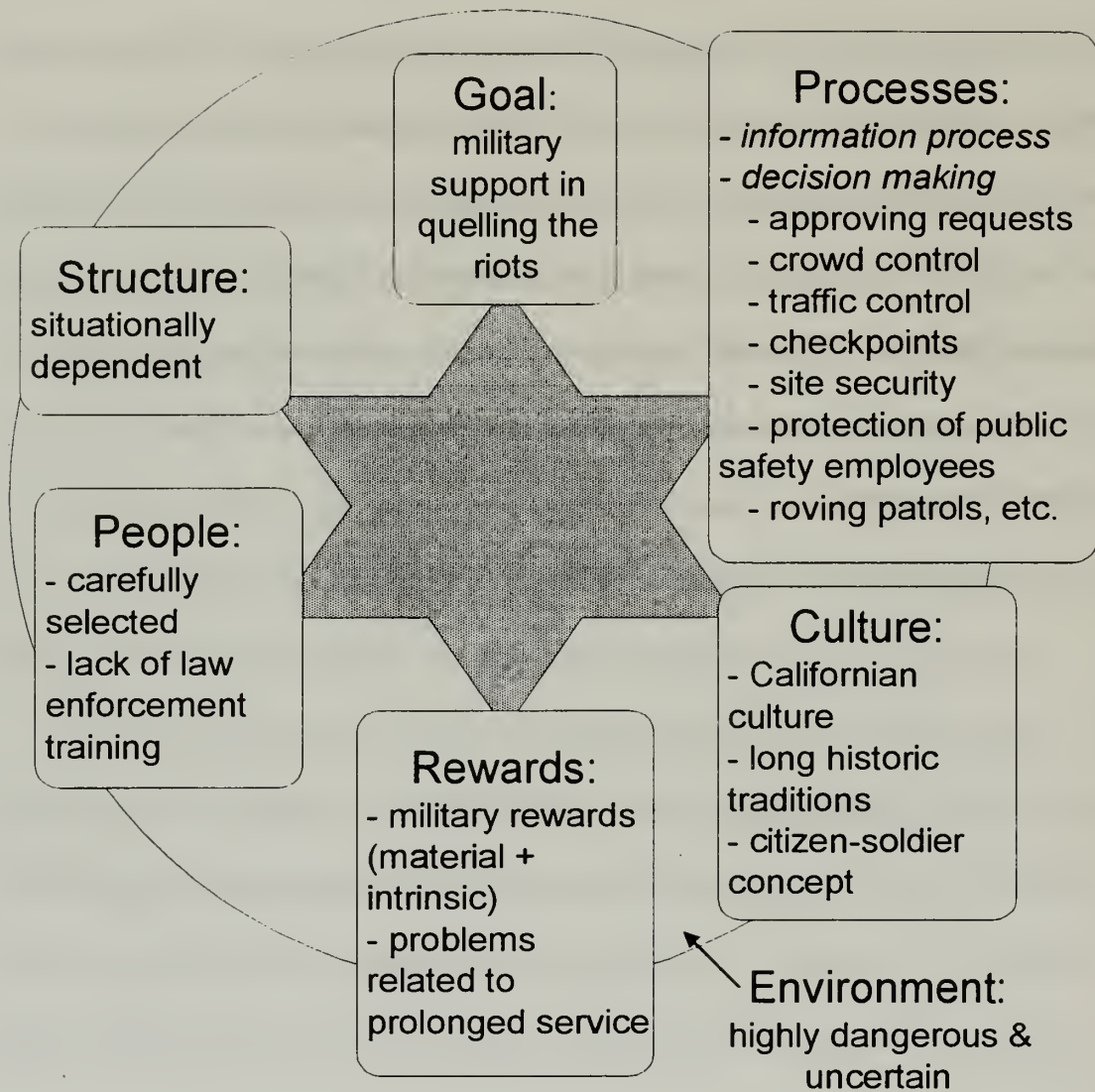


Figure 2. The Star Model of the National Guard as an Organization during LA Riots

2. Problems with Planning and Preparedness

In the planning process, a series of incorrect assumptions, which later complicated achievement of the National Guard's goals, was made in the preparation for possible civil unrest:

1. The concept of potential civil disturbances was inadequate.

Possible disturbances and responses to them were viewed in the light of the Vietnam War protests and civil rights movement of 1960s. Therefore, the California National Guard and law enforcement agencies had been preparing for relatively well-organized, non-violent events. Ultimately, crowd control was their main tactic, which in fact was never used during the Rodney King Riots, simply because there were no big gatherings of people. But "even after the anarchic nature of the 1992 riots became apparent - widespread looting and plunder rather than localized protest - both the National Guard and active component troops [still] spent hours training in the ... crowd control techniques prescribed in Field Manual 19-15, *Civil Disturbances*."⁵⁹

In recent California history the only case of really violent uprisings was the Watts crisis of 1965. But the area involved, about 60 square blocks, was absolutely different from the 1992 riots, which were diffused throughout hundreds of square miles in the area of Los Angeles city and county. Nobody was expecting such a scale of the area involved,

⁵⁹ Schnaubelt, p. 94.

and, therefore, the National Guard did not plan massive deployment of the troops to cover such an area.

2. There was a deeply rooted assumption that the California National Guard would not be needed in the case of civil disturbances, because:

- If a local police or sheriff department were overwhelmed by events, the Law Enforcement Mutual Aid Plan would be adequate to quell the disturbance;
- “Widespread belief that the military support for civil disturbances was a Vietnam-era anachronism;”⁶⁰
- The budget cuts and downsizing of the post-cold-war era led to the situation in which the California National Guard leadership tried to protect its organization by concentrating on federal missions, mostly on external combat actions.

3. Comprehensive inter-agency contingency planning for civil unrest was not considered as an important part of the overall planning process.

The California National Guard had not participated in inter-agency rehearsals, because the law enforcement agencies in the LA area considered themselves strong enough to respond to any civilian unrest.⁶¹

Additionally to these mistakes, when the National Guard in 1990 finally revised its own plans in order to be prepared for a major civil disturbance crisis, the designated

⁶⁰ Ibid., p. 93.

⁶¹ Ibid., p. 93

troops were not obligated to conduct annual training or to procure necessary equipment, which can be considered as a mutual fault of the planners and the leadership.⁶²

3. Mobilization of the Guard

Unfortunately, the police authorities of Los Angeles were very reluctant to activate the California Law Enforcement Mutual Aid System, which provides support response to civil disturbances.⁶³ As a result, the state law enforcement assets had not been exhausted, as foreseen in the plan, prior to activating the California National Guard. The governor called in the first 2,000 guardsmen at about 2100 hours on 29 April. The California National Guard began mobilization of its units mostly from the 40th Infantry Division (Mechanized), and 49th Military Police Brigade. Although the primary civil disturbance mission was assigned to the Military Police Brigade, its location in the San Francisco area did not allow for a rapid deployment. The units of the 40th Infantry Division were spread all over the state; therefore the mobilization started in the armories closest to Los Angeles.⁶⁴ Meanwhile, its residents were already desperately waiting for guardsmen. As one of them told the media, “people have no respect for the LAPD, but when the National

⁶² Ibid., p. 94.

⁶³ Government Code, Title 2. Government of the State of California, Division 1. General, Chapter 7. California Emergency Services Act, Art. 20. Effect Upon Existing Matters.

⁶⁴ Schnaubelt, pp. 92-93.

Guard got here, people knew that they were serious.”⁶⁵ Unfortunately, the initial Guard’s response was not as prompt as the authorities and general public hoped it would be.

Individual units were mobilized quickly, and within seven hours of the initial call approximately 2,000 soldiers were in their armories ready for deployment in the Los Angeles area.⁶⁶ The Adjutant General of the California National Guard had informed LAPD and LASD when he expected units to report to their armories, which later created a great deal of confusion. Law enforcement authorities anticipated engaging the guardsmen early in the morning, while the Guard leadership assumed that law enforcement officers from other jurisdictions would be employed first according to mutual aid agreements.

One of the most significant delays was related to the delivery of the munitions to the mobilized guardsmen. To enhance their maintenance, these munitions from all the Guard armories were consolidated at Camp Roberts in central California several months prior the riots. “Staff planners believed that if the ammunition were ever needed, a helicopter could deliver it to mobilization locations before troops had to deploy.”⁶⁷ However, a written emergency delivery plan had never been rehearsed nor was the mission assigned to a particular unit. As a result, instead of the estimated 0800 hours, the ammunition was delivered to headquarters of the 40th division in Los Alamitos at 1350, i.e. almost six hours later. When the troops were finally available to be deployed on the

⁶⁵ R. Connell and J. Newton, “King Case Aftermath: a City in Crisis; Guard Takes Positions After Delays, Snafus,” *Los Angeles Times*, May 2, 1992, part A; p. 1. D. M. Weintraub, “Guard Action Delayed by Organization Glitches,” *Los Angeles Times*, May 1, 1992, part A; p. 12.

⁶⁶ Schnaubelt, p. 95.

⁶⁷ *Ibid.*, p. 96.

streets at 1435 on 30 April, approximately 17 hours had passed from the moment they were called up by the Governor. These delays in the deployment of the National Guard immediately received extensive scrutiny in the media, which created the image of an ineffective Guard mobilization. Several officials, including Governor Pete Wilson, supported this opinion. “Lives and property almost certainly would have been saved if they had been deployed sooner,” State Controller Gray Davis said about the national guardsmen.⁶⁸ General Delk argues that in spite of all the delays, the National Guard’s response was not slow. He compares time of the Guard mobilization with the existing standards, which is eighteen hours from the first notification to initial departure for the readiest elite 82nd Airborne Division, or 24 hours for commitment of the National Guard shown in the Sheriff’s plan, or 36 hours for troop’s commitment according to DOD’s “Garden Plot” plan.⁶⁹ He demonstrates that in comparison with existing standards or with actual employment of the federal troops during the same operation, the National Guard was not late.⁷⁰

As Schnaubelt emphasized, “during domestic operations, success is likely to be measured by subjective perceptions of the public; victory may have no meaning at all.”⁷¹ The National Guard public affairs service clearly had not paid enough attention to one of the major stockholders, the society. Probably, the greater failure of the Guard in the

⁶⁸ Connell, Newton, p. 1

⁶⁹ “Garden Plot” is the title of the Department of Defense plan for response to civil disturbances.

⁷⁰ Delk, pp. 298-305.

⁷¹ Schnaubelt, p. 106.

beginning of the operation was not the delayed response, but poor public relations that led to its negative estimation which then created an overall negative image of the National Guard's performance.

4. Initial Response

According to the law enforcement mutual aid doctrine, all the requests for military assistance should be submitted through the county's sheriff. In case of LA riots, however, the LAPD insisted on sending requests directly to the Guard, which distorted the chain of command. As a result, the National Guard was forced to make judgements about the law enforcement priorities and "decisions that were the responsibility of either law enforcement or political leaders."⁷²

There were also other aspects that forced the National Guard to operate in a highly complex and uncertain environment when the riots had just begun. For instance, the very nature of the riots was not clear. Although the riots had started as a racial uprising of the devastated black community, the situation soon became very complex. Some analysts argue that it was a case of organized criminals' warfare against law and order. The gangsters, who were extremely well armed and even possessed all kinds of modern automatic weapons, created the most serious problems both for the law enforcement authorities and the guardsmen. For decades the number of gang related crimes in Los Angeles County had been growing along with the number of gang members which had

⁷² Ibid., p. 97.

passed 100,000 in the earlier 1990s.⁷³ Black gangs took advantage of the riots to “assert their influence on the streets.”⁷⁴ Nevertheless, among the arrested people the majority was of Hispanic origin, a big share of whom were illegal immigrants. Thus, the unpredictability of the mob’s behavior, organized crime involvement, mutual misinformation of the law enforcement authorities and military leadership were other factors complicating the situation. The fact that the Mutual Aid System was not activated according to the existing plans added uncertainty to the situation. This happened because LAPD leaders traditionally avoided participation in the system for they feared that the department would always be the main source of support.⁷⁵ One of the authorities’ major strengths was converted into its major weakness.

The political context in which the riots occurred was not beneficial to authorities. Evidently, there was much mistrust and misunderstanding between the Governor and the Guard’s strategic apex.⁷⁶ The Mayor of Los Angeles had not communicated with the LAPD Chief for months. The latter also had not gotten along well with the Sheriff of Los Angeles County. The riots engulfed the city just six weeks prior to the primary elections in California, and therefore the officials facing the election campaign tried to take advantage of the media drawn to the riots.⁷⁷

⁷³ Delk, pp. 16, 325.

⁷⁴ Mendel, p. 2.

⁷⁵ Schnaubelt, p. 94.

⁷⁶ Strategic apex are people on the very top of an organization, who form its strategy.

⁷⁷ Delk, p. 291.

High levels of environmental uncertainty at the first stage of the riots demanded special kind of structure for the military command. Bolman and Deal insist that organizations in complex situations utilize different forms of lateral communication in their structures, including meetings, task forces, coordinators, matrix arrangements and networks. The main purpose of this shift from vertical coordination to a horizontal one is to make the structure more effective by introducing less formalized and more flexible relationships.⁷⁸ The National Guard Military Field Command by definition was an attempt to set up one of the major forms of lateral coordination. An operation cell established by Guard at the County Emergency Operations Center (EOC) just after the governor's order for mobilization was released played an important role as the mediator between the military and civil law enforcement authorities. Additionally, another direct coordination linkage was set up on the level of the middle leadership. After the arrival of military police companies and infantry battalions, these units "were assigned to support specific law enforcement jurisdictions and authorized to accept specific taskings directly from the senior police official in the jurisdiction."⁷⁹ Military unit commanders and police chiefs worked together evaluating the situation and assets available, defining specific tasks for the troops. This element of the structural arrangements could be viewed as a matrix structure in which coordination responsibilities crisscrossed.⁸⁰ Through these

⁷⁸ Bolman, Deal, pp. 44-47.

⁷⁹ *Ibid.*, p. 98.

⁸⁰ Bolman, Deal, p. 45.

arrangements a higher level of autonomy was given to middle-line commanders. (See Figure 3)

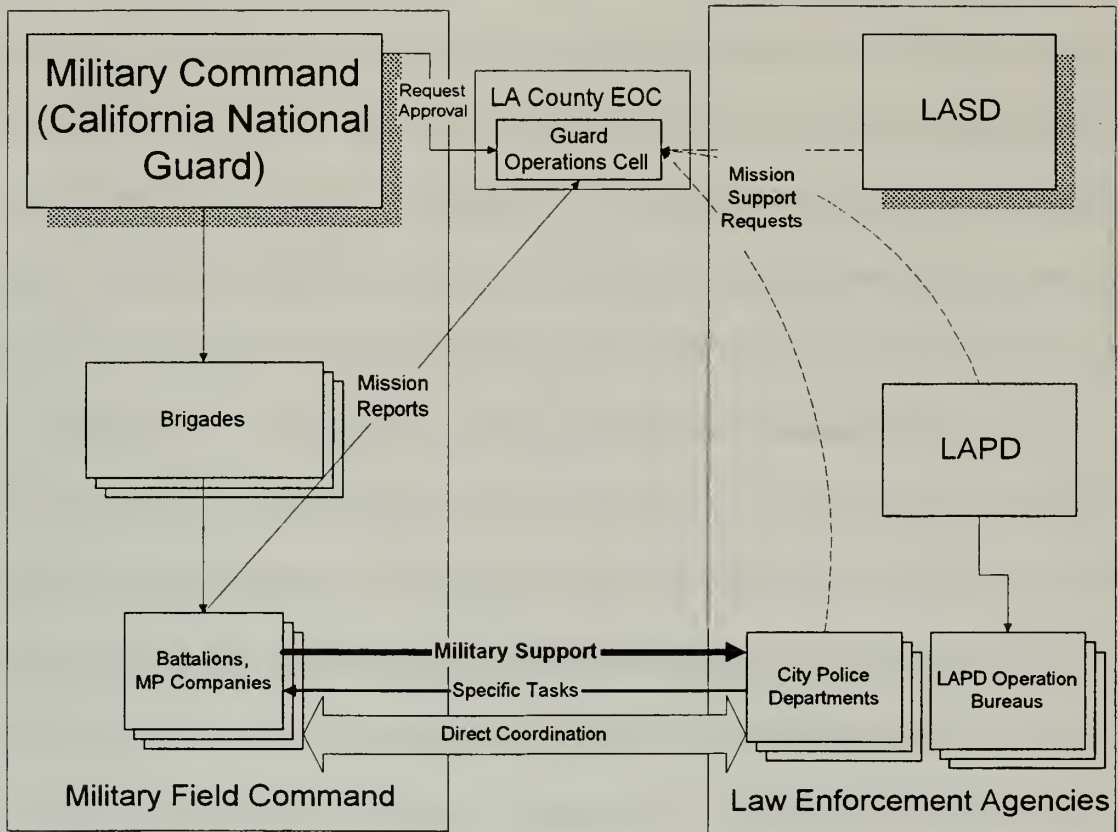


Figure 3. Structure of the Military (the California National Guard) Field Command and its Coordination Links with Law Enforcement Authorities during the Initial Response Stage of the LA Riots

5. The Federalization of the Guard

Many authors argue that the National Guard troops were federalized mostly for political reasons.⁸¹ There was no rational basis for federalization, because by the time federal troops started to arrive in the area, "the riots were essentially over."⁸² One of the most important ingredients in quelling the riots by 2 May was probably the combination of a dusk-to-dawn curfew imposed after the first night of rioting with the presence of almost 15,000 of the National Guard troops and police officers from Los Angeles and other jurisdictions all across the state.⁸³ Additionally, there was too many National Guardsmen present, and consequently troops were often sitting in staging areas without any specific mission.⁸⁴ Moreover, the ratio between the number of the federal rank and file and their National Guard counterparts was too small to create any difference in the situation.

The structure of the JTF and its coordination links with law enforcement agencies changed substantially in comparison with those of the National Guard Military Field Command. What changed after the federal troops were deployed and the National Guard was federalized?

- Obviously, the vertical hierarchical structure became more cumbersome which complicated the decision making process.
- Many procedures including Rules of Engagement and Arming Orders were changed.

⁸¹ Schnaubelt, p. 97, Delk, p.305

⁸² Schnaubelt, p. 97.

⁸³ Ibid., p. 99.

⁸⁴ Delk, p.305.

- Federal units were assigned not to single jurisdictions, as the National Guard had been, but to areas divided mostly by freeways. It created a cumbersome situation when every leader of a police area or bureau coordinated his efforts with more than one military commander.⁸⁵
- A long bureaucratic procedure of approving law enforcement requests was established. As a result, only about 20 percent of missions were approved versus almost 100 percent prior to the Guard federalization.⁸⁶ “Not only were the federal troops rendered largely unavailable for most assignments requested by the LAPD, but the National Guard, under federal command, was made subject to the same restrictions, and therefore had to refuse many post-federalization requests for help.”⁸⁷
- The process of mission validation and approval became more centralized and bureaucratic with the requirement for daily revalidation of each previously approved mission, which meant another change in procedures. While law enforcement authorities expected continuation of the military support, JTF leadership used the mission validation process to cancel current missions.
- Prior to federalization, the Guard used tactics of adequate and proportionate deployment by putting emphasis on smaller squad units, which were led by non-commissioned officers (NCOs). The establishment of the JTF, however, changed this

⁸⁵ Schnaubelt, p. 100.

⁸⁶ *Ibid.*, p. 100.

⁸⁷ Delk, p.305.

policy. Since control was now more important issue, platoons became the smallest units deployed.

While the formal goal of the military command in the Los Angeles area following its federalization remained the same, it was clear that soon it shifted “to removing federal forces from the area.”⁸⁸ In these circumstances, the newly adopted structure of tight centralized management, the absence of viable lateral coordination, a red tape approach in solving simple problems, and the exclusion of law enforcement officers from the decision making process did not much harm the success reached earlier by the National Guard simply because the riots were essentially over.

The decision to put the Guard under the federal chain of command also had a negative impact on its morale. First, it demonstrated that the Governor, the Guard’s Commander-in-Chief, had little confidence in his subordinates. Second, more Guard troops were pulled out of the streets to stay in the staging areas without anything to do.⁸⁹

D. CIVIL-MILITARY RELATIONS IN CIVIL DISTURBANCES

Several sets of civil-military relations can be analyzed as the political background of the LA riots.

Relations between the state civilian authorities and the Guard’s leadership greatly influenced the course of events. Probably one can blame to some extent both the Governor

⁸⁸ Schnaubelt, p. 103.

⁸⁹ Delk, p. 307.

and the Adjutant General for the fact that the former was not interested in the California National Guard at all. Delk holds the Governor responsible for the schism that had been growing between the Governor and the National Guard. At the same time the Adjutant General's office failed to convince the Governor that the Guard could accomplish its mission by itself. This problem is not an inevitable feature of relations between the Governor's administration and the National Guard leadership. It can be explained partially by the fact that the Adjutant General, the political appointee, was selected by the previous governor, and partially by the simple failure of personal interaction.

The principle "last in, first out" was not executed carefully in order to keep civil-military relations healthy. This principle limits the use of the military and reflects the goal of relying on the use of military force only as the last resort. The city and county authorities were reluctant to demobilize such helpful guardsmen, and the state government overlooked pressures on the guardsmen evolving as a consequence of this delay.

As a whole the guardsmen's involvement in the LA riots was met enthusiastically by the public. They were welcomed as liberators in the areas where the people had not trusted police for a long time, and even feared going outside, because of the terrible crime level.

E. CONCLUSION

The planning process is probably one of the most important stages of preparations for emergencies that cannot be forecasted. But even more importantly, once the planning

is finished it should be rehearsed and materially supported by making necessary assets available.

Although the assessment of the California National Guard mobilization in April 1992 as a failure is controversial, there is considerable evidence that some procedures including the process of planning, standardization of mobilization and performance needed improvement.

Since the response to civil disturbances is a very specific type of DSO, frequently characterized by a high levels of violence, commanders are preoccupied with force protection and security issues, which leads to a prolonged mobilization period. Taking this into account, it even could be dangerous to deploy troops earlier than foreseen by the plans. Civil officials and the media should be informed about the existing standards prior to deployment, which will allow them to anticipate response time more realistically.

The National Guard as an organization clearly performed more efficiently than the federal JTF. First, the former has more historical and everyday experience than the federal troops in dealing with law enforcement issues, rendering it more capable in civil disturbances. For instance, since the beginning of 1990s the National Guard has been frequently and continuously supporting law enforcement agencies in their counterdrug efforts.⁹⁰ Second, its field structure inherently is more responsive and flexible than the one of the JTF, for the latter adds at least one more level to vertical hierarchy and applies an

⁹⁰ *Operations Other Than War. Volume II. Disaster Assistance* (Center for Army Lessons Learned, US Army Combined ARMS Command, Fort Leavenworth, KS: October 1993), p.IX-2..

inflexible divisionalized architecture. In the LA riots case the National Guard field command structure worked relatively smoothly, for it was compatible with the goals of the organization, its technological processes, and the highly turbulent environment. Consequently, there can be only two rational reasons to require federalization: either to augment the state assets in case of major disaster when there is a real need for federal resources, or to share the financial burden of the National Guard deployment.

It is important to emphasize here significance of the NCO corps in domestic support operations. Schnaubelt argues that the relative political outcome of individual soldiers' and squads' activities are much higher in MOOTW than in the combat operations, and therefore, there is a tendency for extreme centralization of control, which shrinks the roles played by junior leaders in decision making.⁹¹ I think that this depends on the level of confidence the leadership of the operation has towards junior commanders, which is in turn defined by the level of their professionalism and support from above. As real experts, "the backbone of the Army" and other armed services, NCOs are reliable leaders. They are trained for initiative and judgement in DSO, and they have necessary experience and competence. "Sergeants, acting on their own authority almost universally instituted the response to the 1989 Loma Prieta earthquake."⁹² They were in charge of the smallest autonomous military units until federalization during LA riots. This is the

⁹¹ Schnaubelt, p. 106.

⁹² Michael R. Evans, e-mail message to the author of thesis, 21 November 1997. Evans, First Lieutenant, California Army National Guard, during the Northridge Earthquake response served as the Liaison Officer between 1st Brigade and the LAPD, and then as the Commander of a Tent City/Relief Detachment.

lesson of great importance for Ukraine, where the NCO corps does not play as a meaningful role as in the United States.

Finally, to challenge the level of environmental uncertainty and danger, the Guard needed more appropriate means of communication designed to operate in urban areas and special equipment, including means of self-protection and non-lethal weapons.⁹³

⁹³ Mendel, p. 6.

IV. MILITARY SUPPORT IN DISASTER RELIEF. CASE STUDY: THE NORTHRIDGE EARTHQUAKE OF 1994

A. INTRODUCTION

This chapter is a case study of the Northridge earthquake, one of the most costly natural disasters in US history, and the performance of the California National Guard in response to it.

Because the California National Guard successfully and smoothly accomplished its mission assisting authorities in response to the Northridge earthquake, governmental agencies generated fewer reports and other relevant documents about the case in comparison with more controversial LA riots case. For the same reason even the Guard analysts and scholars did not pay much attention to the Northridge earthquake,⁹⁴ which impedes its further study. Nevertheless, it is quite useful to compare the Northridge earthquake response to the case of the LA riots in order to trace changes in the Guard's emergency preparedness policy and implementation since 1992.

When a disaster of any kind, including natural or man-made ones, occur, among the immediate responders are usually local police, fire departments, and rescue organizations. Then, if the resources of these local agencies are overwhelmed, state assets can be used to save lives and property, and to ameliorate the consequences of the disaster.

⁹⁴ From the interview with Lieutenant Colonel Christopher Schnaubelt, Director, Research and Analysis, National Interagency Counterdrug Institute, 15 November 1997.

In this situation the Governor calls upon the Guard on state service. This is done on a regular basis. For instance, “the daily employment average for the National Guard assets [all over the United States in DSO] in FY96 was 1,760 man-days.”⁹⁵ Federal resources including the assets of the DOD can be deployed by the President as a last resort only when the needs for the disaster relief exceed the state’s response potentialities.

B. COURSE OF THE EVENTS

The Northridge earthquake happened at 0431, on the morning of the Martin Luther King, Jr. national holiday, January 17, 1994. At that moment, a 6.8 magnitude quake struck the city of Los Angeles and the greater metropolitan area. The epicenter was situated near the town of Northridge in the densely populated San Fernando Valley.⁹⁶

In a matter of seconds 16 Northridge apartment dwellers were crushed to death; buildings crumbled; parking lots collapsed; and homes shook violently, triggering the shattering of dishes, collectibles, and other valuables. Outside in the early morning darkness, chimneys and retaining walls toppled like dominoes in a line, alarm systems whined, electricity and some telephone service was disrupted. It was chaotic from the outset as families rushed to check on one another in the darkness.⁹⁷

A series of aftershocks aggravated the situation and multiplied the damage caused by the first wave. Since there were thousands of tremors within the next few weeks, many

⁹⁵ Grange and Johnson, p. 109.

⁹⁶ Goldfarb, p. 58. *Northridge Earthquake After Action Report* (Defense Coordinating Element), p.1.

⁹⁷ Goldfarb, p. 58.

of which exceeded the 5.0 magnitude on the Richter scale, numerous previously deteriorated structures were further damaged or demolished by new smaller shakes.

When the earthquake was over, the death toll had reached 57, about 1,500 people were seriously wounded and hospitalized and more than 10,000 injured. The estimated damage totaled an astronomical \$ 15 billion, the most costly disaster in United States history.⁹⁸ “For a short period of time, 9,000 homes and businesses remained without electricity; 20,000 without gas; and more than 48,500 had little or no water.”⁹⁹ Numerous houses were damaged to such a degree that they became dangerous for their inhabitants, many of whom temporarily became homeless. In addition, in various areas traffic was paralyzed due to severe damage and collapses of several freeways. As a result, about 38 roads were closed for repairs,¹⁰⁰ including 11 major highways connecting outlying areas to downtown Los Angeles.¹⁰¹

Major earthquakes are very dangerous for they can cause damage of critical facilities such as nuclear and other kinds of power plants, pipelines, and facilities where hazardous materials are produced, stored or processed. Sometimes they induce fires that can be a greater source of damage than the original quake itself. During the Northridge earthquake there were several such instances: “numerous liquid propane and gasoline line

⁹⁸ Goldfarb, p. 58. *Northridge Earthquake After Action Report*, p. 1.

⁹⁹ *The January 17, 1994 Northridge, CA Earthquake An EQE Summary Report* (On-line, <http://www.eqe.com/publications/northridge/northridge.html>: March 1994).

¹⁰⁰ *After-Action Report, Northridge Earthquake* (Departments of the Army and Air Force, Office of the Adjutant General, California National Guard, Sacramento, CA: 10 May 1994), p. 1.

¹⁰¹ *The January 17, 1994 Northridge, CA Earthquake: An EQE Summary Report*.

ruptures were accompanied with fires. Numerous water and sewer lines were broken. The Valencia Sewage Treatment Plant ruptured, releasing untreated sewage into the Santa Clara River. Five crude oil pipeline leaks were reported.”¹⁰²

The death and damage numbers were significantly reduced by two very important factors:

- The Northridge earthquake tested one of the most well-prepared earthquake-proof regions of the United States and the entire world. California has a very strict building code, which is improved from the experience of one quake to another and along with the engineering study of the earthquake resistant constructions. Many buildings in the San Fernando Valley were erected recently according to this code. Due to this fact the earthquake totally destroyed only a few structures that were located in a relatively small area.¹⁰³
- The earthquake struck early in the morning of the national holiday when the businesses were closed and residents were still sleeping. The fatalities from any of the major structural collapses would have been much higher, if the disaster had occurred during the middle of a weekday.

When Governor Wilson signed a state emergency declaration at 1150 AM on 17 January, among first responders to the disaster were the California State Police and Highway Patrol, Caltrans (California Department of Transportation), health agencies, the

¹⁰² *After-Action Report, Northridge Earthquake*, p. 1.

¹⁰³ *The January 17, 1994 Northridge, CA Earthquake: An EQE Summary Report*.

American Red Cross and both the California Army and Air National Guard. The sequence of the major events during the immediate aftermath of the Northridge earthquake of 1994 is shown in Table 2.

Table 2. Chronology of Events in the Aftermath of the Northridge Earthquake

| | |
|--------------------|---|
| 17 January 0431 | The area of Los Angeles, California, suffered a major earthquake registering 6.8 on the Richter scale |
| 0530 | California National Guard was alerted and remained on the State Active Duty Service from 17 through 24 January with further drawdown through 13 May 1994 |
| 1150 | The Governor of California signed a state emergency declaration |
| 1230 | President Clinton declared a Major Disaster under <i>the Robert T. Stafford Disaster Relief and Emergency Assistance Act</i> . This declaration served as the authority for the DOD to provide military support under <i>DOD Directive 3025.15, Military Support to Civil Authorities</i> |
| | FEMA appointed Frank Kishton as the Federal Coordinating Officer and he established his office in Pasadena, CA |
| 18 January | About 2,600 National Guardsmen were deployed to numerous missions in the affected area |
| 22 January | The first tent city for 1,500 homeless was set up by the National Guard in Canoga Park |
| 23 January | Five other tent cities were established to accommodate about 10,000 people |
| 24 January | The Guard released troops from state active duty, returning them to "part-time" status |
| 13 May | End of the last Guard's mission in the affected area |

Compiled from the sources: *Northridge Earthquake. After Action Report* (Sixth US Army, Presidio of San-Francisco, CA: 1994). *After-Action Report, Northridge Earthquake* (Departments of the Army and Air Force, Office of the Adjutant General, California National Guard, Sacramento, CA: 10 May 1994). Jocelyn Y. Stewart, "National Guard to Erect Tent Cities," *Los Angeles Times*, January 21, 1994, p. B-4.

The federal troops, including Army, Navy and Marine Corps units as well as US Army Reserve, were called in as soon as the President of the United States declared a Major Emergency in Los Angeles and Ventura counties on 17 January and in Orange County on 18 January. The declaration served as the legal framework to provide federal military assistance to local civil authorities according to the taskings approved by

FEMA.¹⁰⁴ The federal military performed all kinds of support functions including transportation of civil emergency teams and VIPs, medical services, water transportation and distribution, linguistic support, and satellite communications.

Unlike the LA riots, the National Guard was not federalized during the Northridge earthquake and remained on state active duty service. This allowed it to be used extensively for law enforcement purposes. Approximately 2,600 National Guardsmen were activated and deployed for state active duty missions “to conduct security, traffic control, and air evacuation missions.”¹⁰⁵ As in the case of the LA riots, the National Guard units again came mostly from the 40th Infantry Division (Mechanized) as well as from medical, public affairs, heavy helicopter and other detachments.

While the response of the federal agencies was coordinated by FEMA, the Office of Emergency Services (OES), which is a part of the Governor's Office, was responsible for coordination of the overall state agency response. It is the OES, which is accountable for assuring the state's readiness for emergencies, for assisting local governments, and for making initial calls to all state agencies that can contribute assistance to a local government. Then, the OES activates the State Operations Center in Sacramento and the Regional Emergency Operations Centers in an affected area to receive and process local

¹⁰⁴ *Northridge Earthquake. After Action Report* (Sixth US Army, Presidio of San-Francisco, CA: 1994), p. 2

¹⁰⁵ *Ibid.*, p.5.

requests for assistance.¹⁰⁶ Thus, the efforts of the National Guard in the cases of the LA riots and the Northridge earthquake on the state level were coordinated by the OES.

What is important for this analysis is that some characteristics of the earthquake conditions were very similar to the LA riots:

- Both were instances of virtually absolutely unpredictable crises (although in the case of the LA riots one could argue that the city leaders should have been able to forecast the development of the events). In contrast to hurricanes or tsunami, when there is a short period of time to prepare populace and first echelon of responders, there was no time to make any preparations. Thus, these kinds of cases represent the most vigorous possible test of response planning and preparedness.
- Both calamities occurred in the same greater Los Angeles area and the players were the same, so we can compare their actions in a relatively similar environment to understand what they have learned from the previous emergency.
- One of the main National Guard's tasks was support to civil law enforcement agencies, although the substance of this mission changed drastically from one case to another.

C. CASE ANALYSIS

Planning for disaster support operations, particularly for the earthquake response, was much better developed by the California National Guard in 1994 than for possible

¹⁰⁶ "Fact Sheet" (California Governor's Office of Emergency Services, Sacramento, CA: 1997)

civil disturbances in 1992. The Northridge earthquake was the third major quake that struck California during last 25 years. The first two were the San Fernando earthquake which devastated the same area in 1971; and the 1989 Loma Prieta earthquake that hit San Jose and south of San Francisco.¹⁰⁷ There were numerous other instances of smaller, less destructive quakes. The California National Guard was among the responders in both previous major earthquakes as well as numerous smaller ones, and this experience was incorporated into the planning process. After the 1992 LA riots, a series of standardized operation plans (OPLANs) for various kinds of emergencies, which the California National Guard maintains and updates annually, were all revised and re-written.¹⁰⁸ Moreover, those plans for different scenarios and other documents such as the California National Guard Emergency Preparedness Manual were not only thoroughly elaborated, but also coordinated in detail activities to be conducted together with other agencies. At the same time, extensive discussions of the military support to civil authorities on the state and federal levels kept the Guard attentive to this type of mission and maintained the system ready for disaster response. From the Guard's point of view, the headquarters of California National Guard was "prepared to handle the Northridge incident better than any previous disaster."¹⁰⁹ As a result, Guard's mobilization was preplanned much better than in the case of the LA riots.

¹⁰⁷ *The January 17, 1994 Northridge, CA Earthquake: An EQE Summary Report.*

¹⁰⁸ Evans.

¹⁰⁹ *After-Action Report, Northridge Earthquake* (Departments of the Army and Air Force, Office of the Adjutant General, California National Guard, Sacramento, CA: 10 May 1994), p. 3.

Another factor, which accelerated mobilization and can be viewed as a part of the Guard's culture, played a substantial role. Guardsmen usually do not wait until the order for deployment arrives. In case of the Northridge earthquake, numerous officers and NCOs were alerted by the first shock, immediately reported to their commanders, and started contingency preparations. Many "soldiers voluntarily (and without pay) reported to headquarters and were assigned to begin preparing vehicles, tents, generators, water trailers, and supporting items for movement" prior to an official call.¹¹⁰

On the level of local commanders, initiative of mobilization prior to the Governor's decision is authorized by the military directives. National Guard Regulation (NGR) (Army) 500-1, paragraph 2-2e allows a National Guard commander to "do what is required and justified to save human life, prevent immediate human suffering, or lessen major property damage or destruction." The commander would simultaneously, or when the situation allows, report about his actions to higher military and supported civil authority.¹¹¹

In 1994, local commanders widely used this authority and by 1150 when the Governor declared state emergency, the Guard was ready for practical steps.

As was mentioned before, one of the Guard's main tasks was support to law enforcement agencies. Obviously, the nature of this support mission was very different

¹¹⁰ Evans.

¹¹¹ Ibid.

from the role of the National Guard during the LA riots in 1992. Additionally the environment in which the Guard operated was distinct. In 1994 the Guard came to relatively calm neighborhoods, where the police had responded actively and massively. In February, *Los Angeles Times* asked, “Why was there virtually no looting [in ‘Shaketown’] after the earthquake?”¹¹² In fact, according to LAPD statistics, there were fewer than 10 arrests connected to looting. One of the main reasons was “the rapid and aggressive governmental response.”¹¹³ After thousands of police troops started patrolling streets in the area and enforcing a dusk-to-dawn curfew, 1,500 guardsmen were called by the Governor to assist them.¹¹⁴ In order to support local law enforcement security and curfew requirements they were deployed in nine different locations. The National Guard presence coupled with the fact that it was deployed with arms, was an additional determinant for successfully deterring crime in the area affected by the earthquake.

Again, the National Guard accomplished its mission to a great extent because it was not federalized. The lessons learned from the LA riots (when the Guard was federalized and partially lost its effectiveness) and hurricane Andrew (when the Florida National Guard was not federalized and remained concentrated on law enforcement

¹¹² David D. Dotson, “Why was there virtually no looting after the earthquake?” *Los Angeles Times*, 6 February 1996, part M, p. 6. David D. Dotson is former assistant chief of the LAPD.

¹¹³ *Ibid.*, p. 6.

¹¹⁴ Patrick Brogan, “Quake Toll Rises as Curfew-Bound LA Lets the Dust Settle,” *The Herald*, 19 January 1994, p. 7.

support which facilitated its task completion) suggested that the best course of action was to leave the Guard on the state duty status during the Northridge earthquake response¹¹⁵.

Support to law enforcement agencies was not the only mission successfully accomplished by the National Guardsmen. The Guard executed a wider range of services than in the case of the LA riots, such as:

- Airborne command and control in support of the Governor's office and military operations in general,
- Proactive public and media relations efforts,
- Uniformed street presence to reestablish public order, generate calm and confidence in public service agencies,
- Urban search and rescue (SAR),
- Area damage assessment,
- Air/ground transport and staging of troop units, law enforcement officials and military equipment,
- Transportation and ration support to local SAR,
- Logistic support to Disaster Assistance Centers,
- Utilization of armories as temporary shelters,
- Erection of Temporary Shelter Sites,
- Backup security support to local officials,

¹¹⁵ From the interview with Lieutenant Colonel Christopher Schnaubelt, Director, Research and Analysis, National Interagency Counterdrug Institute, 15 November 1997.

- Aero-medical evacuation support,
- Linguistic support,
- Potable water supply at distribution points.

One of the Guard's most significant efforts was to raise six tent cities for temporarily homeless people in the area. These people, mostly immigrants who recently came from the countries affected by major earthquakes, refused to go to the permanent shelters because they feared aftershocks; they preferred to reside in the parks. Although local officials were overwhelmed by thousands of homeless looking for refuge, they strongly opposed erecting temporary shelters until cold and rainy weather was forecasted. Four days after the first shock struck the area, guardsmen began pitching the tents.¹¹⁶ The first tent city for 1,500 homeless was set up by the National Guard in Canoga Park. By 23 January, guardsmen had erected five more tent cities in different parks throughout the affected area to accommodate at least 10,000 residents who lost their housing.¹¹⁷

Taking into account lessons learned from the LA riots, the National Guard leadership paid greater attention to the "CNN effect." They deployed the 69th Public Affairs Detachment with five media escort teams that "worked with local and national news media ensuring that accurate and timely coverage of California National Guard operations was accomplished." Due to the proactive and extensive work of the

¹¹⁶ Carla Rivera, "Earthquake: the Long Road Back," *Los Angeles Times*, 31 January 1994, part A, p. 16.

¹¹⁷ *After-Action Report, Northridge Earthquake* (Departments of the Army and Air Force, Office of the Adjutant General, California National Guard, Sacramento, CA: 10 May 1994), p. 8.

detachment, the coverage of the Guard's efforts was generally accurate and sympathetic, while conflicting reports were minimized.¹¹⁸

The complexity of the earthquake aftermath led to huge diversity of organizations responding to it in comparison to the LA riots. In the case of the LA riots, the military was one of the few major responding agencies including law enforcement agencies, firefighters and medical services, involved in the crisis response. Since police and sheriff's departments as the leading civilian response organizations were not able to accomplish their mission alone, and the National Guard as well as the federal military then provided direct support to them, the role of the Guard was absolutely crucial. Therefore, the visibility and responsibilities of the Guard's leadership was much greater during the 1992 civil disturbance in Los Angeles. I would argue as well that participation in such politically sensitive events as riot quelling inevitably generates scathing criticism from some groups in society including a part of the media. Any imperfection of the measures taken could be interpreted as coming from vicious intentions; any mistake could be critical, like in the case of delay in response to the LA riots. This aggravates relations between the public and the military. In the case of the Northridge earthquake there were many more governmental and non-governmental organizations actively participating in the immediate response to the disaster. Therefore, the role of the National Guard and the military as a whole was not so crucial, or so much in the public eye. As the leading federal disaster relief agency,

¹¹⁸ Ibid, p. 8.

FEMA, which coordinated the governmental response to disaster and administered emergency aid, received the biggest share of criticism for its inadequate response in January 1994.¹¹⁹

As was already mentioned, numerous agencies participated in the disaster relief efforts. The majority of those organizations either were supported by the guardsmen or worked shoulder-to-shoulder with the National Guard. The task of interagency coordination was very important in order to provide information about the National Guard capabilities, prioritize and verify mission requests, avoid duplication of efforts and ensure proper use of military equipment. Since the coordination was not emphasized enough prior to the earthquake, state agency interface became one of the problems during the response phase. Later it was recommended to enhance liaison relations with the agencies where military assets are used by placing knowledgeable liaison officers in them as early as possible.¹²⁰

D. CONCLUSION

In general, the California National Guard was much better prepared for the Northridge earthquake in 1994 than it was for the LA riots in 1992. This difference can be explained by the following factors:

¹¹⁹ Miller. Rivera, p. 16.

¹²⁰ Mathiasen, pp. 16-17. *After-Action Report, Northridge Earthquake*, p. 5

- The Guard had more experience in dealing with earthquakes over last 20-30 years than with civil disturbances. This experience aided in the development and implementation of comprehensive response strategy.
- Detailed contingency plans were revised and coordinated with other agencies.
- Numerous major disasters of the 1990s as well as national attention to domestic support operations prepared the Guard to react swiftly.
- New leadership of the National Guard that was changed soon after the LA riots established tighter relations with the Governor's office. During the Northridge response, Governor Wilson supported the Guard's efforts in contrast to the LA civil disturbances, when he exerted so much political pressure over and against his National Guard.
- Due to the nature of emergency and better police performance, the National Guard operated in a less dangerous environment. As Major General J. D. Delk estimated, it always facilitates initial deployment of the troops if the commander knows that "bullets do not fly" in the area. This is one of the critical factors why troops will not be deployed to the streets in law enforcement operations faster than in disaster relief missions.¹²¹

¹²¹ From the interview with Delk

- In spite of the complexity of the Northridge earthquake response and diverse missions of the Guard, it was easier to deploy 2600 guardsmen in the earthquake case than ten thousand troops during the LA riots case.
- During the LA riots the media coverage did not help guardsmen to perform their tasks. Since from the first day of the Northridge earthquake a Major Disaster was declared by the President, and federal agencies led by FEMA assumed responsibility for disaster relief operation, the media was more focused on them. In addition, as a result of the Guard's proactive public affairs policy, television and newspapers were more supportive and sympathetic towards the National Guard.

Thus, from both case studies we can conclude that although there were some problems and weaknesses of the Guard's participation in the DSO, they are not inevitable and can be prevented by better planning and specific task-oriented training. Moreover, the California National Guard is one of the most important elements in the state emergency preparedness system. Its overall performance in those operations is usually more appropriate than that of the other branches of the armed forces. There are several explanations to this phenomenon. The Guard is specially trained for different kinds of DSO; it participates in them on a day-by-day basis and therefore possesses invaluable experience; over the response phase the guardsmen help their own or neighboring communities.

V. CONCLUSION

In this thesis I argue that the use of the National Guard, and the California National Guard in particular, in response to major emergencies has both advantages and disadvantages as a model for the countries in transition, such as Ukraine. In addition, I argue that civil-military relations in domestic support operations are a very important factor to consider for new democracies trying to build an effective system of civil emergency planning, preparedness, and response.

The most significant disadvantage of military engagement in domestic support operations arises right from the central problem of civil-military relations. There is always a concern of a possible seizure of political power by the armed forces. The more the military engages in politics, including domestic affairs, the higher their influence in the decision making process and, consequently, the higher the likelihood of such a seizure. Moreover, when military are not devoted solely to their major task of defending the nation, their professionalism in exercising coercive power is undermined, which also leads to a crisis of objective control over the military.

On the other hand, when the primary military objective fades in the absence of a visible enemy, there is a danger that the military resources will be used for auxiliary purposes, which can be harmful for the military as institution. In this thesis I argued that although the use of the US military, particularly the National Guard, in domestic support operations is one of its historical missions, combat assignment has remained their main

duty. Since the American public is continuously suspicious about any military involvement in politics or civil affairs, an engagement of the armed forces in domestic support operations is carefully framed and limited by legislation. In these operations the military assist local, state and federal civil authorities, but play only a secondary supporting role, remaining under its usual chain of command supervised by top civilian officials.

Given these legislative limitations, the disadvantage arising from the civil-military *problematique* exists in the United States primarily on the theoretical level, but may cause many problems in countries transitioning to democracy if they do not address the issue properly.

Despite the skeptical attitude towards military engagement in domestic affairs from political point of view, in practical sense American society relies heavily on its armed forces. The military possesses unique resources, which makes it a very important element of the emergency preparedness system. This advantage of the military has been extensively exploited not only in the United States, but also all over the world.

The National Guard occupies a specific position between the rest of the military and the society. It could be viewed as glue, which affixes one to the other. Participation in the emergency response is very well meshed with the concept of citizen-soldier. The guardsman is a citizen first and foremost, but a serviceman when needed either by the nation, the state, or the community. Additionally, the fact that the soldier who participates in the disaster relief for a community resides in the same community, or at least in the same state, creates a big advantage. He is helping his own neighbors, he knows the culture

and peculiarities of this place, and, consequently, he works enthusiastically and selflessly; he has better expertise. Furthermore, many guardsmen work in emergency services as civilians, which brings invaluable professionalism to their jobs in domestic support operations. For instance, there were numerous policemen and sheriff assistants among the guard troops who participated in the LA riots. This facilitated the synchronization of efforts between law enforcement agencies on one side and National Guard units on another.¹²²

The continuity of the California National Guard personnel is one of its most valuable assets. Guardsmen consider their organization one big team, and they are proud to be its members.¹²³ In contrast to active duty components of the armed forces, guardsmen serve in the same units for many years and the officers remain in the relatively small officer corps of the state Guard. As a result, people understand each other without words, and commanders know the strengths and weaknesses of their subordinates very well, which in stressful crisis situations of emergency response simplifies their mission accomplishment.¹²⁴

Finally, the very concept of part time soldier proved to be cost effective in comparison with the active duty armed forces, which is critically important for the countries in transition.

¹²² Ibid.

¹²³ From the interview with Lieutenant Colonel M.-A. Coppernoll, Army National Guard Liaison, 15 November 1997.

¹²⁴ From the interview with Delk

On the other hand, the Guard's subordination to the state, rather than to the federal authorities (until the moment when it is federalized in response to the national calamity), eliminates many concerns about military engagement in domestic affairs. That is why, for instance, *the Posse Comitatus Act* does not apply to representatives of the National Guard as long as they are not on federal duty. Thus, in specific American circumstances regionally distributed military power creates fewer worries in terms of civil-military relations. However, in some European states this form of power could give birth to other problems, for instance, it can reinforce separatism and centrifugal tendencies.

For the National Guard, its state mission is connected to emergency response as tightly as its federal mission is plugged in the national security objectives. The National Guard is an essential part of the state emergency preparedness system, available to state and local authorities and ready to provide any sort of crisis assistance. It receives explicit training to respond to different kinds of emergencies and provides a diverse range of relief services. The National Guard's experience in dealing with emergencies is extensive since the guard's units respond to them on a day-by-day basis. Numerous US communities could not survive any major contingency without the Guard's emergency assistance.

There is one more old argument against the professionalism and competence of the National Guard. Since it is essentially a part-time force, it can be ready neither for war as its active duty counterparts, nor for peace-time emergencies as specialized civilian organizations. This statement is true, but in the real world of scarce resources nobody can afford to have full-time specialized agency for every possible maximum-scale emergency.

A. WHY THE CALIFORNIA NATIONAL GUARD'S MODEL IS IMPORTANT TO UKRAINE AND OTHER STATES IN TRANSITION

When Ukraine gained its independence in 1991, there was no effective system of disaster preparedness and response in the country. In the former Soviet Union such a system started to appear right after the Chernobyl accident of 1986, when political leaders and experts realized that civil defense, whose primary role was to protect the population and the economy from devastating consequences of thermonuclear war, could not address the requirements of a major peace-time emergency. In 1991 the Civil Defense Department was separated from the Ukrainian Ministry of Defense, became an independent governmental agency directly subordinated to the prime-minister, and concentrated its efforts on peace-time missions formulated in the Law on Civil Defense adopted by the Ukrainian Parliament in 1992. In 1996, the agency was reorganized again when Civil Defense merged with the Ministry of Chernobyl into the Ministry of Emergencies in order to meet demands for cost-effectiveness. The new ministry was headed up by civilian officials. At this moment it is hard to predict that the reform process has stopped, because all the transformations have occurred largely at the national level while deep changes in the political system and the economy will obviously have consequences on the regional and local levels as well.

During this transformation from the purely military civil defense agency to the civilian Ministry of Emergencies, authorities and experts sought international experience and reference models. The California National Guard became one of them. Similar

processes characterized the evolution of the national emergency preparedness systems in other Central and Eastern European states, some of which, such as Baltic states, took closer look at the National Guard mostly due to the State Partnership Program.

In December 1992 the United States initiated its National Guard State Partnership Program by establishing partnership relations between different states and emerging democracies in Central and Eastern Europe as well as in Asia. One of the Guard goals was “to demonstrate, through the example of the citizen-soldier, the role of the military in a democratic society.”¹²⁵ Under this program, Ukraine became the partner of California. It is not surprising that the area of emergency preparedness, planning, and response became one of the rapidly growing spheres of this cooperation. Ukraine has much to learn from the Californian experience, especially because the former utilizes its military to respond to civil emergencies in a way similar to California. This includes not only the Ukrainian Armed Forces from the Ministry of Defense and other military and paramilitary organizations, but also the specialized civil defense troops from the Ministry of Emergencies.

Every year Ukrainian civil defense officers attend Military Support to Civil Authorities course at the National Interagency Counterdrug Institute in San Luis Obispo, California. Additionally, military from both sides have had other opportunities to share their practical experience. Last year National Guardsmen from California actively

¹²⁵ “The National Guard State Partnership Program” (On-line, National Guard Bureau Homepage, <http://www.ngb.dtic.mil>: 14 April, 1997).

participated in the computer simulated and field exercise Transcarpathian Safety 96 in Western Ukraine, where counterparts from neighboring Hungary, Poland, Slovakia and Ukraine tested their bilateral mutual aid agreements for the scenario of a catastrophic earthquake in the region.¹²⁶

Overall, under the State Partnership Program, the US military functions as a role model demonstrating military subordination and support to civil authorities.¹²⁷ Every developing democracy should be conscious about possible abuse of military power and use expertise of the old western democracies in civilian supremacy and objective control over military. Although civil-military relations in domestic support operations are only a part of the realm, they should be observed as carefully as the rest of them.

The National Guard's experience is significant for the new democracies, because in many of these countries their governmental institutions, including national civil emergency systems, are in the stage of active development and need reference models. The American side recognizes this role arguing that "the National Guard's model of Emergency Preparedness continues to be a leading element of interest and topic of discussion among the nations that interact with the National Guard. Many nations seek to pattern their own emergency preparedness after that of the United States' National Guard."¹²⁸

Close cooperation with the California National Guard theoretically can have negative consequences for Ukraine as well, because there is a danger that some national or

¹²⁶ *Bridge to America. State Partnership Stockholders Report* (US European Command: 1997) p. 26.

¹²⁷ *Ibid.*, p. 1.

¹²⁸ Infante.

regional officials influenced by its visible advantages will try to copy blindly its organizational features. One should remember that there are some factors to take into consideration before such attempts.

First and foremost, California is a modern developed state with high scientific, industrial and agricultural potential. Moreover, it is an extremely wealthy entity which boasts the world's sixth highest GDP and can afford a level of expenditure which is virtually impossible for any of the young democratic states. Still, in times of need it receives additional support from the federal government, and its National Guard is almost entirely federally funded. Transitional countries are unlikely to have similar resources available for DSO.

Second, California possesses very heterogeneous population and diversified rich culture that influences all other elements of life. What is important here is that possible racial or racially induced uprisings may be absolutely irrelevant in relatively homogeneous European nation-states.

Third, the role of the National Guard is huge in American society. It is politically a very influential organization and well regarded as one of the oldest US institutions. Yet there are many discussions about its missions and even its very existence, primarily because it competes for funds with the federal active duty forces. Even some US congressmen share the idea that the National Guard will not survive in this competition.¹²⁹

¹²⁹ From the interview with Honorable Sam Farr, US Representative from Monterey District, California, October 1997.

Moreover, the example of the California National Guard is probably not the best representation of a state National Guard. As we have already discussed, California itself is not an average state. It is the most populated one in the United States with almost 32 million residents (12% of the entire US population).¹³⁰ It has also the biggest Gross State Product, which constitutes 13.1 % in the total US GDP (1992, current dollars).¹³¹ California possesses the largest National Guard with more than more 23,000 thousand troops¹³². It is involved in all kinds of DSO and probably more often then any National Guard in the United States. Therefore, the new democracies may seek for the typical National Guard model in other states.

California has a very elaborated system of emergency response and at least some of its elements could be transferred into other national civil emergency organizations. It is worth to study the place and the role of:

- The Governor's Office of Emergency Services;
- State and local emergency operations centers;
- Non-governmental relief organizations, such as Red Cross or Salvation Army;
- Standardized Emergency Management System;
- Fire, Law Enforcement, and Telecommunications Mutual Aid Systems.

¹³⁰ "State Rankings" (On-line, US Census Bureau Home Page
<http://www.census.gov/statab/ranks/pg01.txt>: October 1997)

¹³¹ <http://www.bea.doc.gov/bea/ar/0595rea/maintext.htm>

¹³² "Our Organization" (On-line, The California National Guard Home Page,
<http://www.calguard.ca.gov/cng-wfr.htm>: 20 Novemeber 1997).

Among the other recommendations based on the study that may be extremely helpful and should be emphasized separately include:

1. It is necessary to frame and limit military engagement in domestic support operations scrupulously by legislation and regulation. American practice in this area can be used as a model.
2. The experience of the LA riots and Northridge teach us to consider carefully the power of media. Relations with the press and television are a very important set of civil-military relations. This is the lesson that should be learned by new democratic institution regardless of the models they follow. Real professionals in the public affairs should deal with the media that are covering DSO. They have to consider every potential news agency that can be involved and work with them in order to get an adequate coverage of the events and the role of responding agencies.
3. Since numerous agencies usually participate in the emergency response, coordination among them is very important. This includes mutual planning, interagency rehearsals and assigning of liaison officers to agencies which will use military resources.
4. As it was already mentioned in the Chapter III, the role of the US non-commissioned officers in domestic support operations can be used as example for further study and possible practical utilization.

APPENDIX. BASIC DEFINITIONS

This appendix to the paper highlights definitions of the terms that are either crucial for the entire thesis or its parts or may be unfamiliar to a reader because of their specificity, and provide starting points for the analysis.

Domestic Support Operations (DSO) can be determined as “the authorized use of ... [DOD organizational,] physical, and human resources to support domestic requirements.”¹³³

Military Support to Civil Authorities (MSCA). “Those activities and measures taken by the DOD components to foster mutual assistance and support between the DOD and any civil government agency in planning or preparedness for, or in the application of resources for response to, the consequences of civil emergencies or attacks, including national security emergencies.”¹³⁴

Military Assistance for Civil Disturbance (MACDIS) relates to “those military measures taken by DOD components to minimize the effects on the population resulting from an enemy attack upon the U.S. and its territories or possessions. It may also be declared in order to take measures to prepare for such an attack and in the aftermath of an attack. Such military responses include emergency repair to destroyed or damaged utilities and facilities.”¹³⁵

¹³³ *Domestic Support Operations. Situational Manual*, p. 5.

¹³⁴ *Department of Defense Directive 3025.15 Military Support to Civil Authorities* (On-line, <http://web7.whs.osd.mil/direc/txt/d302515p.txt>; February 18, 1997), Enclosure 2.1.9.

¹³⁵ *Ibid.*

Designated Area “is the geographical area designated under a presidential major disaster declaration which is eligible to receive disaster assistance in accordance with the provisions of Public Law 93-288, as amended.”¹³⁶

Emergency Operations Center (EOC) is “a location from which centralized emergency management can be performed, generally by civil government officials (municipal, county, State and Federal). EOC facilities are established by an agency or jurisdiction to coordinate the overall agency or jurisdictional response and support to an emergency.”¹³⁷

For better understanding of the National Guard employment and performance it is necessary to define two types of its missions: federal missions and state missions.

Standardized Emergency Management System (SEMS) is “a system required by California Government Code for managing response to multi-agency and multi-jurisdiction emergencies in California. SEMS consists of five organizational levels, which are activated as necessary. They are: Field Response, Local Government, Operational Area, Region, and State.”¹³⁸

Staging Areas “are locations set up at an incident where resources can be placed while awaiting a tactical assignment. Staging Areas are managed by the Operations Section. Also, that location where incident personnel and equipment are assigned on a

¹³⁶ “Penultimate Glossary of Emergency Management Terms” (On-line, The Center for the Study of Emergency Management, Pacific Emergency Management Consortium, <http://www.simeon.org/glossary.html>: 18 September 1997).

¹³⁷ Ibid.

¹³⁸ Ibid.

three minute available status or immediate deployment to an operational site within the disaster area.”¹³⁹

Federal missions “are performed while the National Guard is serving on federal active duty status and are governed by the provisions of Title 10, USC.”¹⁴⁰ This type of the National Guard missions include all national security and defense missions, training outside the US boundaries and domestic support operations under the federal control.

State Missions “are performed while the National Guard is serving on either state active duty status or federally-funded non-federal duty status.”¹⁴¹ These missions are authorized by the Governor of the state and controlled by the state authorities. They typically include support to state civil authorities in times of domestic political violence or any type of disasters.

A set of defining variables should be applied to draw distinction between Guard’s federal and state missions as well as among three types of the Guard’s duty status. A matrix of these variables is shown in the Table 3.

Table 3. Attributes of National Guard Missions

| Type of Mission | Federal | State | |
|---------------------|---|---|---|
| Duty Status | Federal Active Duty | State Active Duty | Non-Federal Duty |
| Defining Attributes | Federal Law (10 USC) Federal Funding Federal Approval | State Laws State Funding State Approval | State and Federal Law (32 USC) Federal Funding Federal Approval |

¹³⁹ Ibid.

¹⁴⁰ Brown, Fedorochko, and Schank, p. 9.

¹⁴¹ Ibid., p. 9.

| | | | |
|--|--------------------|----------------|----------------|
| | Federal Control | State Control | State Control |
| | Federally Executed | State Executed | State Executed |

Source: R. A. Brown, W. Fedorochko, Jr., J. F. Schank, *Assessing the State and Federal Missions of the National Guard* (RAND, National Defense Research Institute, Santa Monica, CA: 1995), p. 10

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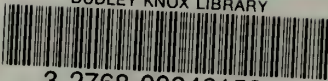
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