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Oversight of the Liberian National Police

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Summary

The Liberian National Police (LNP) will become the chief provider of security in Liberia as the United Nations Mission in Liberia (UNMIL) is reduced. Given the LNP’s capabilities and complexity, its past manipulation by former President Charles Taylor, and a pattern of police misconduct in much of Africa, the question of oversight is critical. At the request of the U.S. government, RAND analyzed the issue of oversight of the LNP to identify options and make recommendations for consideration by the Government of Liberia and its principal supporters, the United States and the United Nations (UN). This paper contains the results of RAND’s analysis.

This paper is based on and organized according to an analytic approach that examines LNP oversight in light of African experience and Liberian conditions. A summary of police oversight models and the relevant experiences of other African states is followed by our identification and assessment of broad options for Liberia and our recommendations.

There are three LNP functions that require external oversight: government responsibility, professionalism, and assuring the public. This paper addresses how these functions should be performed and assesses options based on three criteria: manageability, permanent professionalism, and public confidence.

Analysis of the range of police oversight mechanisms, other African cases, and Liberia’s situation leads us to the following conclusion: Liberia needs a mixed (i.e., government-independent) LNP oversight system with a broad mandate for enhancing police professionalism and assuring the public. Such a system should be clear, relatively simple, manageable, and comprehensible to the Liberian people. It should complement and strengthen both the government’s normal management of the LNP and the LNP’s ability to operate. These goals would be best achieved by a government-chaired, mixed-membership, multi-tiered system with the authority and competence to (1) consider every aspect of police policy and performance and (2) make recommendations that the government would be obligated in turn to consider and address. Such a system would borrow from government-independent hybrid systems used elsewhere in Africa (see Chapter Two) and offer manageability, permanent professionalism, and public confidence (see Chapter Three).

This oversight system should include a high-level policy body and a subordinate body to investigate individual allegations of police abuse and look for patterns of such behavior within

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1 We assume that LNP personnel will eventually be armed, except for those forces performing functions in which arms are clearly not needed.

2 This work follows an earlier and broader RAND analysis of Liberia’s new security sector as a whole. Those earlier recommendations have mostly been or are being implemented. See David C. Gompert, Olga Oliker, Brooke Stearns Lawson, Keith Crane, and K. Jack Riley, Making Liberia Safe: Transformation of the National Security Sector, Santa Monica, Calif.: RAND Corporation, MG-529-OSD, 2007.
different parts of police agencies. In addition, the groundwork should be laid for the eventual creation of local police forums to promote local connectivity and confidence. These recommendations adapt relevant practices from South Africa, Nigeria, and Ghana, but are simpler than those used in South Africa. Furthermore, they are more reliable than those adopted by Nigeria and Ghana. By keeping the oversight system as simple as possible (but always consistent with needs), both government manageability and political support—two keys to success—can be strong.

The high-level body—which we call the LNP Policy Council (LPC)—would be responsible for reviewing general Ministry of Justice (MoJ) and LNP policies on police conduct, use of force, crowd and riot control, training, salary structure, promotions, recruitment procedures, and compliance with human rights. It would also recommend and monitor performance indicators that would provide a way of monitoring police effectiveness and equity in fighting crime, dealing respectfully with the public and different ethnic groups, and using resources efficiently.

The second body—which we call the LNP Investigative Council (LIC)—would be responsible for investigating citizen complaints against the police. It could be subordinate to the LPC or to the MoJ, or independent of both. Of these options, subordination to the LPC would be best, given the role envisioned for the LPC in setting and monitoring the performance standards that the LIC would apply. Like the LPC, the LIC would be MoJ-chaired and have governmental and nongovernmental members, preferably in the same proportions. Its findings would be delivered to the MoJ, the LNP, and (when appropriate) the courts.

At the appropriate time, local forums would be created to anchor police forces to the communities they serve. Each forum would monitor the performance of the local police force, help police leadership set priorities consistent with community concerns, and serve as a vehicle to discuss community concerns about police conduct or policies. The forums would share their findings with the national LPC and their specific concerns with the LIC.

As shown in Table S.1, we expect the proposed approach to be more effective than other oversight options.

If one criterion deserves to be weighted more heavily than the others, it is public confidence, especially at the current stage of Liberia’s political recovery. To ensure that such a system succeeds in practice, special attention needs to be given to the following issues:

- The relationship between LNP oversight as specified in our proposed approach and normal MoJ responsibilities for the LNP (e.g., for funding, general management, personnel, and implementation) must be clear and compatible.

### Table S.1
Comparison of Oversight Options and Proposed Approach

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NOTE: The probability of effectiveness is rated H (high), M (medium), or L (low).
The relationship between LNP oversight and the LNP’s own control systems (e.g., internal affairs, inspections, and professional standards) must be mutually reinforcing.

- Given Liberia’s state of development, manageability must be made a priority (through, for example, minimizing duplication and red tape).
- Public confidence can be created and enlarged by publicizing plans, inviting comment, and involving nongovernmental actors from the outset and throughout the process of establishing LNP oversight.

The Emergency Response Unit (ERU), whose combat capabilities and roles differ from those of the rest of the LNP, needs special oversight. The fundamental principles of professionalism, commitment to public well-being, and accountability that apply to the LNP as a whole should also apply to the ERU. However, rules governing the use of force should be different, yet no less clear and consistently applied. Rather than having separate oversight for the ERU, both the LCP and LIC should have explicit guidelines (and, possibly, subcommittees) governing the ERU. It is therefore important that LNP oversight councils include members who are aware of the requirements, constraints, and pitfalls associated with this type of force.

As for next steps, we recommend that the MoJ, augmented with outside experts with broad experience, be charged with developing details and implementation plans for consideration by Liberia’s president and the country’s main supporters. The MoJ should involve the LNP inspector-general, whose views should be made known to those who review the MoJ plan. Public support should be sought and secured through eventual legislation.

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3 In addition, we recommend that attention be given to the question of operational control over the ERU, especially when that force is called upon for combat within Liberia or to operate with the Armed Forces of Liberia. This matter is not subsumed under the oversight system recommended here.