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Q: Why Would This Flight Crew Check Lists Binder Be Relevant to Today's Presentation?



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***A: Showing Where We Were 29 Years Ago,
How Far We Have Come,
And Where We May Yet Go In The Future***

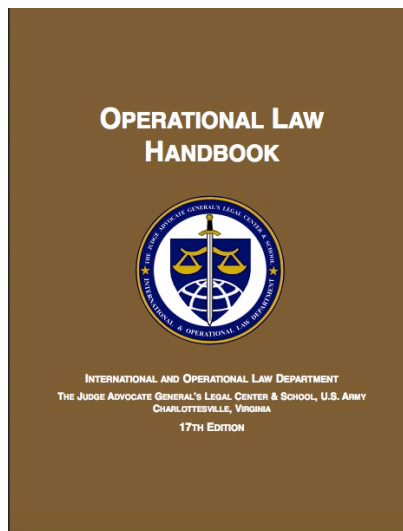


The First
“OPLAW Handbook”
Circa 1989?

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***Hard-Copy and E-Resources:
The OPLAW Handbook (JA 422),
Deployed JA Resource Library and
JAGCnet:
“Value Beyond Rubies”***



[or Suggested Retail Price of \$9.95 Kindle e-copy?!?]

http://www.loc.gov/rr/frd/Military_Law/pdf/operational-law-handbook_2017.pdf

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Purpose

Historical analysis of the operational setting and missions accomplished by U.S. legal personnel during Operation JUST CAUSE (OJC) and Operation PROMOTE LIBERTY (OPL)



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Presentation Concepts

- **OPLAW Evolution and FM 1-04 Overview**
- **Operation URGENT FURY**
- **Pre-JUST CAUSE Events**
- **Operational Planning**
- **Predeployment Legal Focus**
- **Force Buildup & Operations**
- **Legal Support to Operations**
- **“Validated Performance Indicators”**



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FM 1-04

Overview (1 of 3)

Mission

(Ch. 1, Para 1.1, FM 1.04):

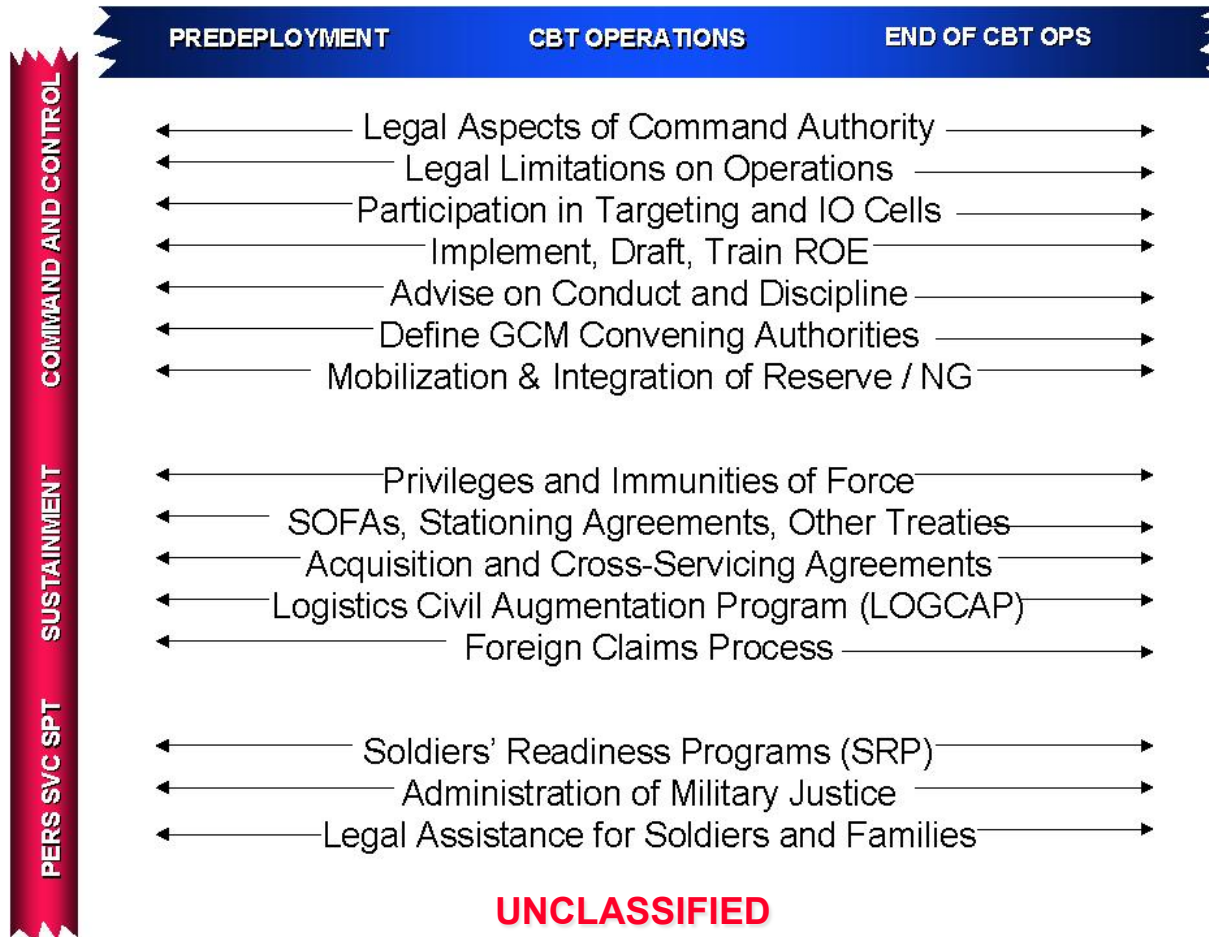
The mission of the Judge Advocate General's Corps (JAGC) is to develop, employ, and retain one team of proactive professionals, forged by the Warrior Ethos, who deliver principled counsel and mission-focused legal services to the Army and the Nation

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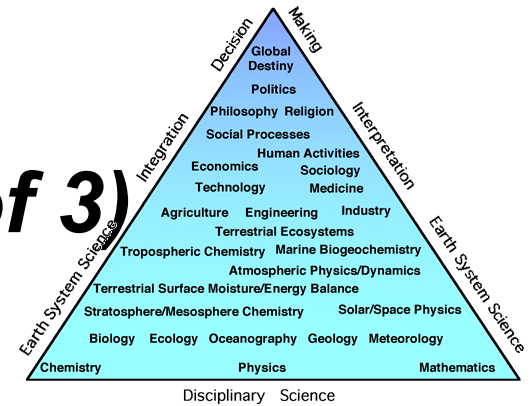
FM 1-04

Overview (2 of 3)

Concept of Legal Support in War (Graphic IAW but not found in Ch. 5, **FM 1-04**)



FM 1-04 Overview (3 of 3)



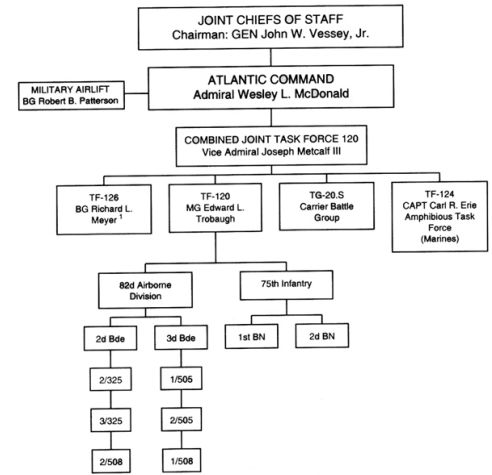
Core Legal Disciplines (Ch. 5, FM 1-04):

- Military Justice
- International and Operational Law
- Administrative and Civil Law
- Contract and Fiscal Law
- Claims
- Legal Assistance

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Operation *URGENT FURY*

Grenada, 1983 Legal Support Lessons Learned

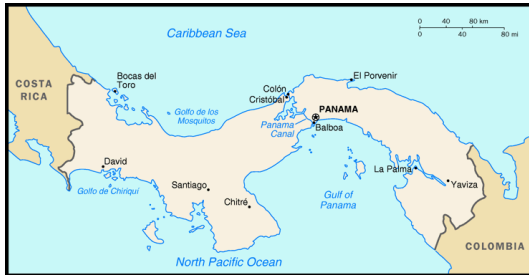


- **Predeployment Involvement in Planning Minimal**
- **Predeployment Legal Assistance Hasty**
- **Predeployment Information on Legal Justification Scant**

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AOs Compared



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Pre- JUST CAUSE EVENTS

1989																				
Jan				Feb				Mar												
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29	30	31					26	27	28					26	27	28	29	30	31	
Apr				May				Jun												
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Oct				Nov				Dec												
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
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29	30	31					26	27	28	29	30			24	25	26	27	28	29	30
														31						

DEC 89

15
17
18
20
21
24
26
31

EVENT/ACTIVITY

ELLIPSE ECHO Conclusion
JUST CAUSE forces alerted
JCS EXORD (JUST CAUSE)
H-HOUR 0545Z / 0045R
JCS EXORD (PROMOTE LIBERTY)
Noriega seeks refuge in Papal Nunciatura
PROMOTE LIBERTY deploys ADVON
Initial JUST CAUSE SOF redeployment begins

JAN 90

02
03
04
11
15

TF BLACK OPCON to JTF SO
Noriega surrenders to US Government
PROMOTE LIBERTY forces in place
JTF SO deactivated, JTF PM OPCON all forces
JSOTF (JUST CAUSE) deactivated, SOF re-deploy
or transfer (PROMOTE LIBERTY under JTF PM)

Operational Planning

(1 of 2)



- **Background of the Crisis:**
 - 83-88: Rise of Noriega
 - Spring 88: Contingency planning
 - MAY-OCT 89: Elections nullified; NSD-17; Operation NIMROD DANCER
 - SEP-NOV: Operation HAWKEYE (HA/Civil Disturbance USVI)
 - 3 OCT 89: Failed Coup attempt
- **Trigger Events:**
 - 15-16 DEC 89: increased tensions, shootings
 - 17 DEC 89: Key military meetings & White House Decision
 - 18 DEC 89: Movement prep, F-117 use decision & EXORD
 - 19 DEC 89: Launching the Airlift

Operational Planning ***(2 of 2)***

- **Background:**
 - PDF shifting forces post 3 OCT 89 failed coup
 - Adequate intelligence (-) Dignity Battalion strength
 - Element of surprise unlikely



- **OPORDs:**
 - USCINCSO OPO RD 1-90 (BLUE SPOON) 30 OCT 89
 - JTFSO OPO RD 90-2 3 NOV 89 (NOTE: LTG Stiner' s personal role in writing/revising ROE)
 - 82d ABN DIV OPO RD
 - 7th ID (LI) OPO RD 2-90

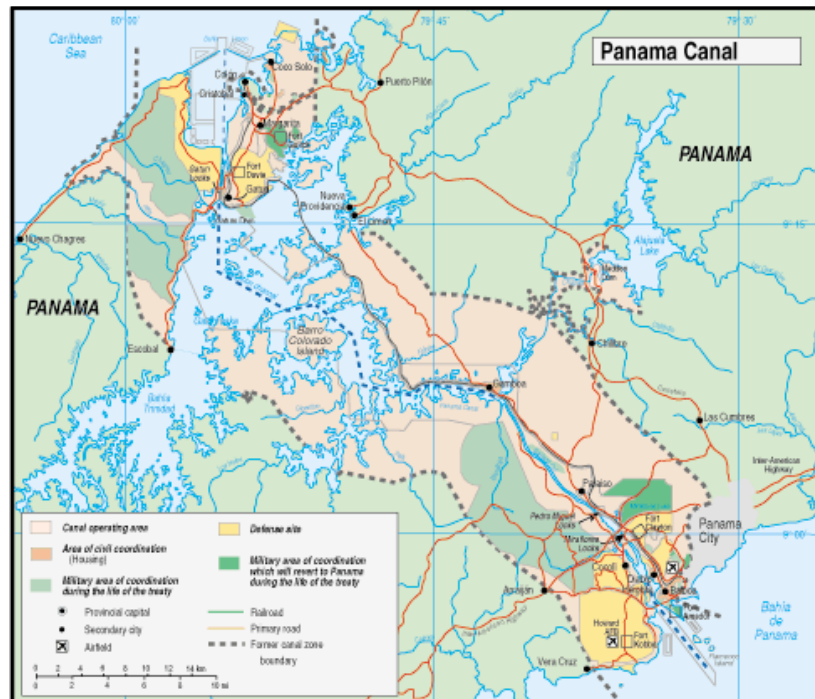
Predeployment Legal Focus

- XVIII ABN Corps OPLAW JA Deployed to USVI (SJA initially only other JA “read on” to compartmented OPLAN)
- Participation in Operations Planning (Targeting, ROE, Wpns Selection)
- Legal Assistance
- Legal Basis for Combat Operations & Reference Resources
- Personnel Readiness / SOP Usage
- Operations Security
- Briefing ROE



Planning Assumptions

- In-place forces in Joint Operations Area (JOA)
- MAC airlift available / responsive
- No noncombatant evacuation operations (NEO)
- Howard AFB remains open
- Civil-Military Operations (CMO) require reserve mobilization



Planning Constraints

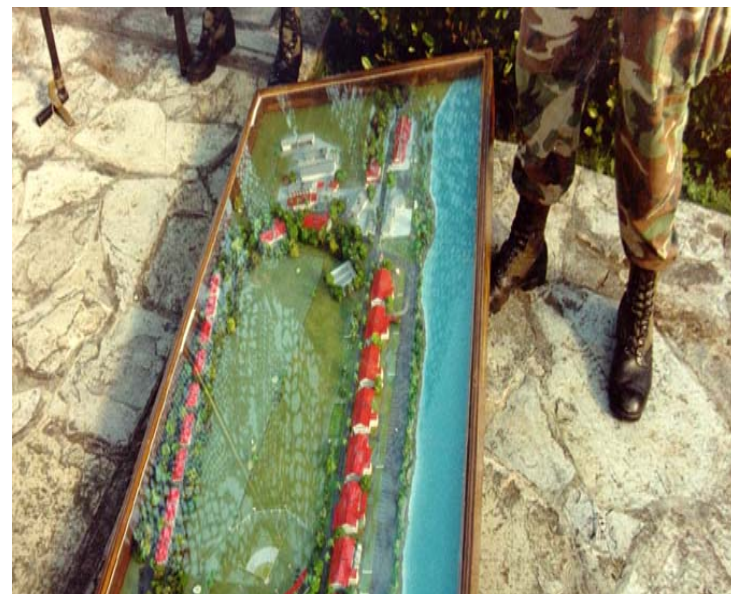
- **Panamanian HUMINT network**
- **Access to US Facilities**
- **Effective SIGINT Capability**
- **Single aerial port (Howard AFB – Torrijos/Tocumen had commercial traffic and FAP)**
- **Vulnerable US civilian population**
- **Noriega recognizes his precarious position**



OJC

Concept of Operations

- **Trigger events initiate US response**
- **Three courses of action:**
 - 1) No-notice response**
 - In place forces
 - Protect bases and canal
 - 2) Short-notice response (14-16 hrs)**
 - Deploy Ranger Ready Force (RRF) / Division Ready BDE (DRB)
 - Expand offensive operations
 - 3) Deliberate employment (48-60 hrs)**
 - Full OPORD execution
 - Simultaneous combat ops, EW, PSYOP



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JSOTF Concept of Operations

PHASE I **Deploy initial ASSLT
package**

PHASE II **Posture force NLT H+12 hrs**

PHASE III **Simultaneous strike ops**

PHASE IV **Stability / nation building
operations**



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Mission

- **Protect US Citizens and installations**
- **Neutralize PDF C²**
- **Capture Noriega**
- **Secure key facilities**
- **Restore law and order**
- **Support establishment of new government**





PDF

Order of Battle

GROUND FORCES

13 Military Zones

- 2 BNs
- 10 Independent IN Cos
- CAV SQDN
- Riot Control CO
- Special Forces
 - UESAT
 - Commandos

PARAMILITARY

- Dignity BNs

AIR FORCE

38 Fixed wing aircraft

17 Helicopters

Air Defense

- ZPU-4 Antiaircraft guns
- Suspected SA-7 ground to air missiles

NAVY

- 12 Vessels
- Naval IN CO

Sequence of Events



DEC 89

15

ELLIPSE ECHO Conclusion

17

JUST CAUSE forces alerted

18

JCS EXORD (JUST CAUSE)

20

H-HOUR 0545Z/0045R

21

JCS EXORD (PROMOTE LIBERTY)

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Noriega seeks refuge in Papal Nunciatura

26

PROMOTE LIBERTY deploys ADVON

31

Initial JUST CAUSE SOF redeployment begins

JAN 90

02

TF BLACK OPCON to JTFSO

03

Noriega surrenders to US Government

04

PROMOTE LIBERTY forces in place

11

JTFSO deactivated, JTFPM OPCON all forces

15

**JSOTF (JUST CAUSE) deactivated, SOF re-deploy
or transfer (PROMOTE LIBERTY under JTFPM)**

Force Buildup

In-Place

2x LI BDEs
Marine BN
AV BN
SF BN (+)

Pre-H-Hour

JSOTF
AV BDE TF (-)

H-Hour

RGR RGT
JSOTF AV
CA/PSYOP BN (-)

H+45 min

ABN BDE TF (DRB)

H+11 hrs

LI DIV (-)
CA BN

H+13 hrs

MP BDE (-)
PSYOP BN (+)

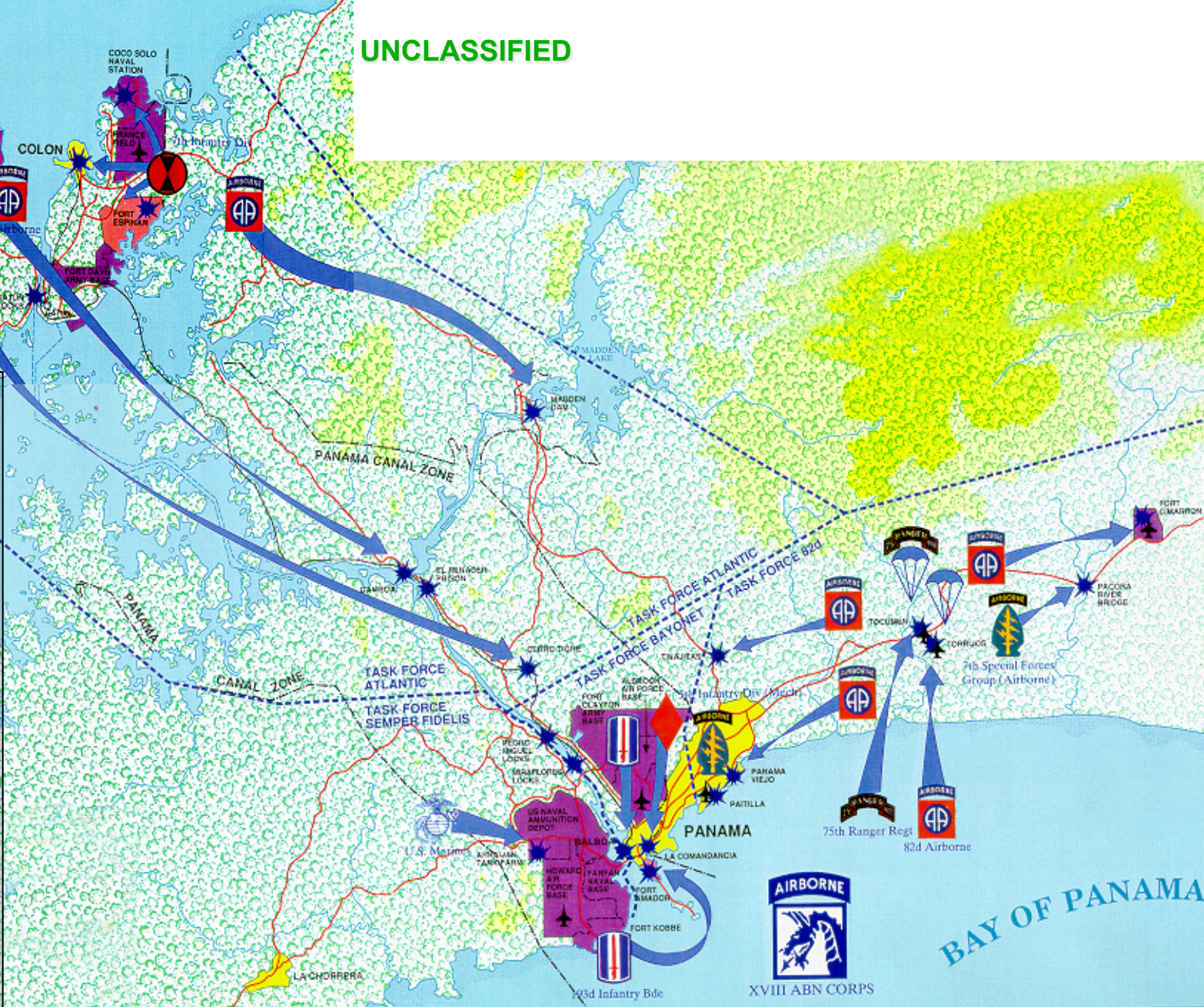


@13,000 stationed in Panama
@13,000 arrayed as JTFSO
Of which, JTFSO for OJC and OPL consisted of:
4,150 SOF operators
77 aircraft

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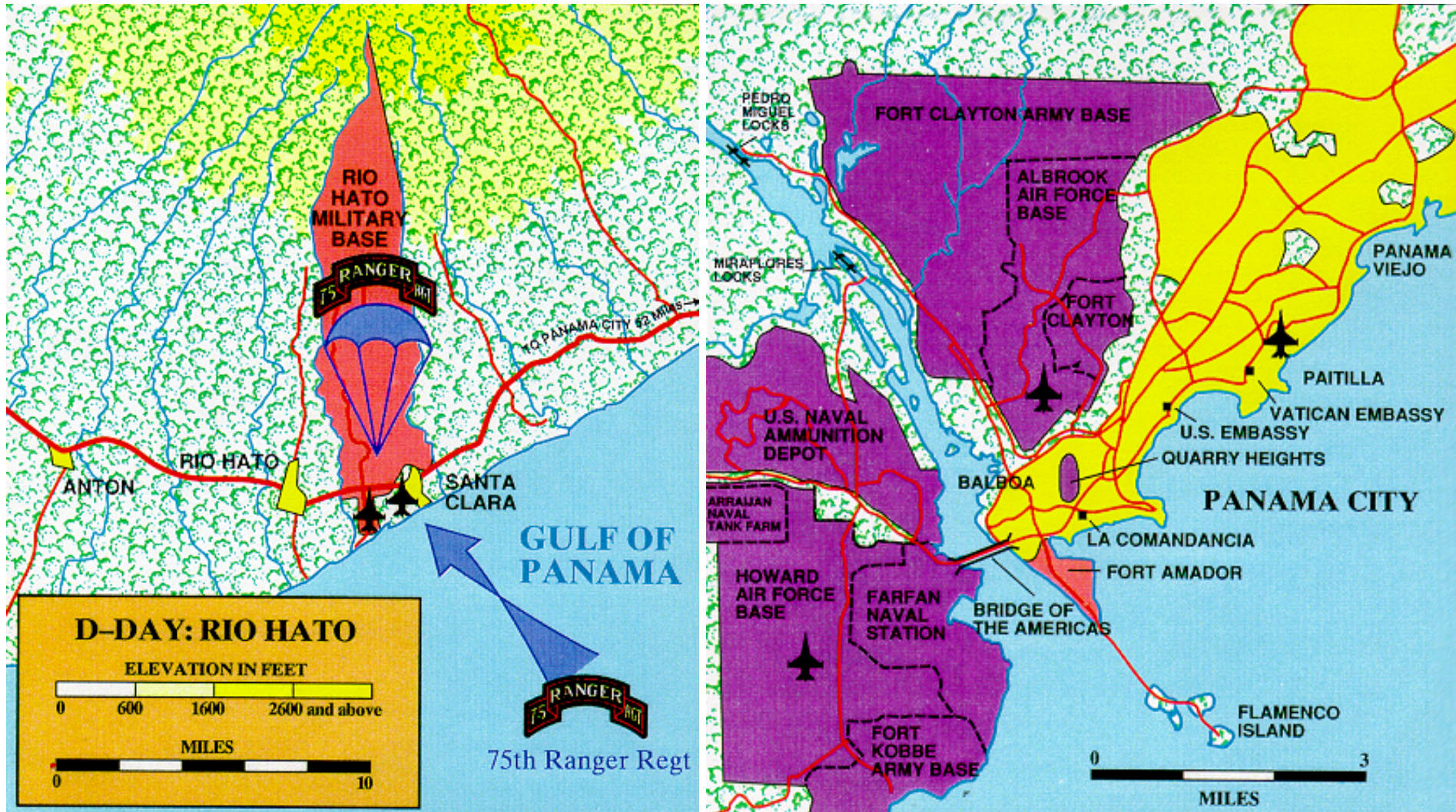
CARIBBEAN SEA

- JTFSO ORDER OF BATTLE**
- TF BAYONET
 - TF ATLANTIC
 - TF PACIFIC
 - TF SEMPER FIDELIS
 - JSOTF
 - TF BLACK
 - TF RED
 - TF WHITE
 - TF GREEN
 - TF BLUE
 - TF GATOR



XVIII ABN CORPS

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Rio Hato ABN ASSLT & Operations Vicinity Panama City

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H-HOUR ***(1 of 4)***



- **JTFPM (MG Cisneros)
handover to JTFSO (LTG Stiner)**
- **TF ATLANTIC (7th INF DIV (-) -- COL Kellogg):**
 - Neutralize Ft. Espinar, Coco Solo,
secure Ft. Sherman & Gatun Locks
 - Use JOTC elements to neutralize
Gamboa, Cerro Tigre,
secure Madden Dam
- **TF BAYONET (193rd INF BDE -- COL Snell):**
 - Neutralize Ft. Amador, Comandancia,
Carcel Modelo, other targets

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H-HOUR ***(2 of 4)***



- **TF SEMPER FI (MARFOR-PM):**
 - Secure Howard AFB, Bridge of the Americas, block movement of PDF reinforcements from west
- **TF 82nd (82d ABN DIV (+) -- MG Johnson):**
 - Use 75th RGR s to neutralize 2d IN CO (PDF) at Tocumen Airport, then allow DRB-1 of 82d to conduct ABN ASSLT, build combat power on ground, prepare for 3x AASLTs to seize Panama Viejo, Tinajitas, Ft. Cimmaron
 - Neutralize PDF: BN 2000, 1st IN CO, CAV SQDN, UESAT
 - Link-up & assume OPCON of 1/75 RGR (-) at H+45
 - AASLT sequencing shift in response to PDF assets
 - TF BAYONET and SEMPER FI to pass to control of 82d to become TF PACIFIC as soon as initial mission completed

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H-HOUR ***(3 of 4)***



- **JSOTF (MG Downing) :**
 - TF BLACK (COL Jacobelly): SOCSOUTH, 3/7 SFGA (+) vs. BN 2000 (PDF) vic. Pacora R Bridge, Gamboa, TV-2 Takedown**
 - TF RED (COL Kernan): 75th RGR (-), 96th CAB (-), 4th POG (-) ABN ASSLT Rio Hato vs. 6&7th CO, BN 2000; ABN ASSLT Tocumen/Torrijos Airport**
 - TF WHITE: NSWTF-2 take-out patrol boats at Balboa; ASSLT on Punta Paitilla Airfield**
 - TF GREEN**
 - TF BLUE**
 - TF GATOR (4-6th INF, 5th ID' s M-113 APCs) attack and clear Comandancia**
 - 1st SOW**
 - 160th SOAG**
 - TAC elements**

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H-HOUR ***(4 of 4)***



- **In-Country (less 193d IN BDE) & Infiltrated Assets:**
 - TF HAWK: Helo lift
 - TF WOLF: 1-82d AV BDE (-)
 - 82d SIG BN
 - TF CHAMPION: 82d ABN DIV ASSLTCP (-)
 - COMJTF SO (LTG Stiner + 26-man C² element)
 - Surgical Team
 - Other elements
- **16th MP BDE (ABN) (+):**
 - HQ, 16th MP BDE, 503d MP BN, USARSO LEA, 92d MP BN, 519th MP BN -- Secure lines of communication & selected sites, EPW operations, stability operations

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Post H-Hour (1 of 2)



- **Follow-On Forces:**
 - 82d ABN DIV (-)
 - 16th MP BDE (-)
 - 1st COSCOM
 - 35th SIG BDE (-)

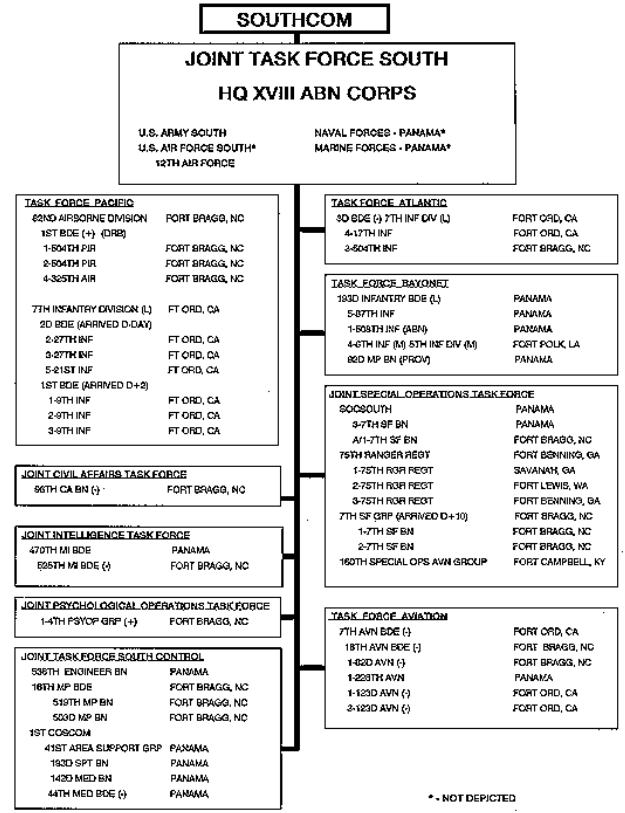
- **Follow-On Activities:**
 - TF Aviation rescue of 10 “Smithsonian” hostages
 - EPW operations at Empire Range
 - TF BAYONET firefight vic. Balboa Train Station
 - TF 3-504 at Madden Dam
 - TF ATLANTIC into Colon
 - JSOTF OPCON of 7ID BN, move to David

Post H-Hour (2 of 2)



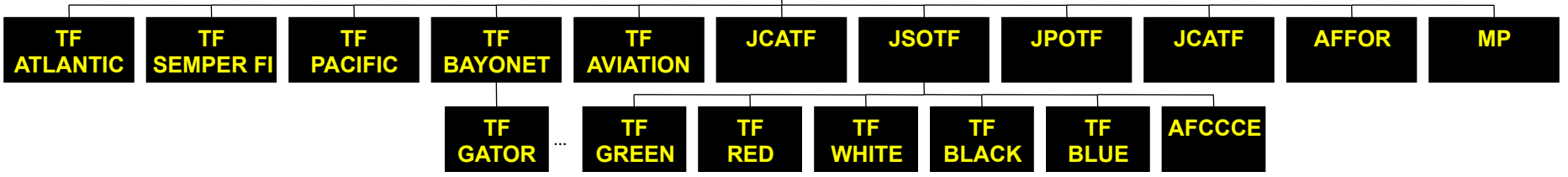
- **Consolidation & Follow-On Operations:**
 - Restoration of activities “Benchmarks”
 - Realignment of C² relationships & AOs
 - Stability operations in outlying areas
 - Humanitarian relief and assistance
 - Capture former PFD/Dignity Battalion leadership
 - Continue security of key facilities
- **Last combat operations 21-24 DEC 89**
- ***Nunciatura* & Noriega’s surrender 24 DEC 89 - 3 JAN 90**
- **PROMOTE LIBERTY:**
 - Combat operations - Stability operations - nation building
 - Displaced Civilian (DC) operations
 - Reconstitution of Panamanian Security Forces

Command Relationship OJC



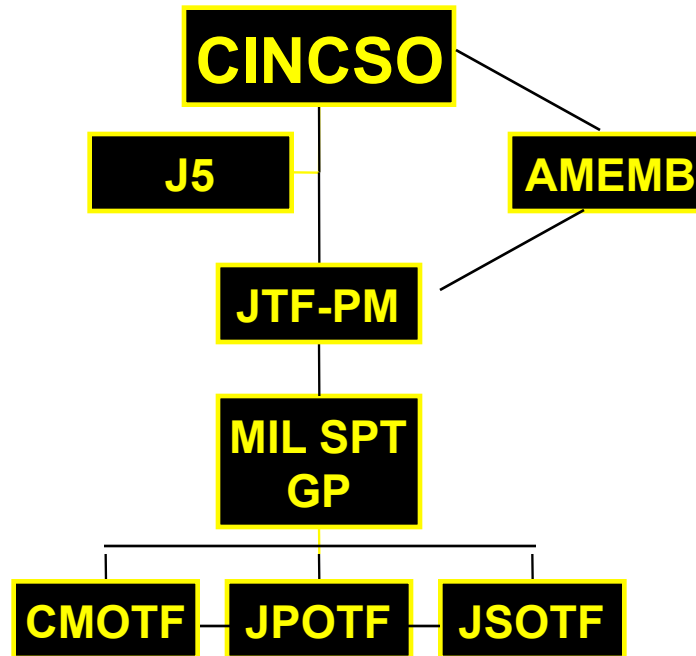
CINCSO

JTFSO



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Command Relationship OPL



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OPL

Concept of Operations



- **Transition from combat operations to stability operations to nation building**
- **Establish military support group to administer nation building programs**
- **Conduct nation building with in-country forces plus augmentation, as required**

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Military Support Group

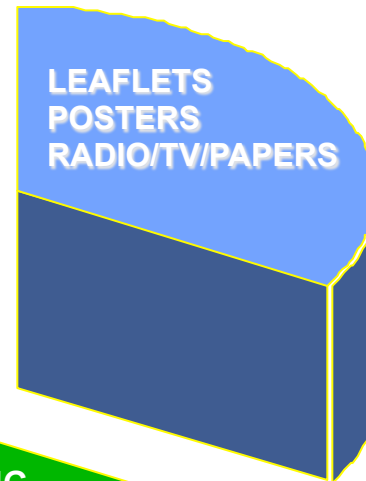
ORGANIZATIONAL RELATIONSHIPS



CMOTF



JPOTF



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JAs & Other DoD Attorneys



- Role of Judge Advocates
 - CJCS Legal Advisor
 - USCINCSO SJA
 - XVIII ABN Corps
 - Subordinate Command SJAs

- Legal Assets
 - In-Theater: 28
 - Initial Deployment 11
 - Follow-On 9

TOTAL 48 (+1*)



***= Wayne Christian a/k/a "Panama Red"**

ROE / Legal Annex Issues



- **Role Of Judge Advocates**
 - CJCS Legal Advisor
 - USCINCSO SJA
 - XVIII ABN Corps
 - Subordinate Command SJAs / CJAs
- **Tailoring of ROE**
 - Minimize Collateral Damage
 - Use Minimum Force Necessary
 - Predeployment Changes: Armed Civilians Accompanying PDF (DIGBATs); Civilian Acft Carrying Enemy (Noriega); Indirect Fire Into Populated Areas; Initial PW Treatment Not Dispositive of Status
- **Targeting, Protected Places, and Proportional Use Of Force**
- **Supplemental ROE (Checkpoints, Looters, Clearing Buildings)**

Legal Support to Operations ***(1 of 5)***

- **1977 Torrijos-Carter Treaty Impact**
- **War Powers Resolution & Basis for Operations**
- **Asylum / Temporary Refuge**
- **Handling PWs, Detainees, Incarcerated and Escaped Convicts**
- **Displaced Civilians**
- **Evacuating Civilians**
- **Seizure / Disposition of Captured Enemy Property**
- **Extradition (RP Constitution vs. 1904 Treaty)**
- **Searches of Protected Places (Diplomatic, Hospitals, etc.)**
- **Restoration of INTEL (Public Telecommunications Agency)**



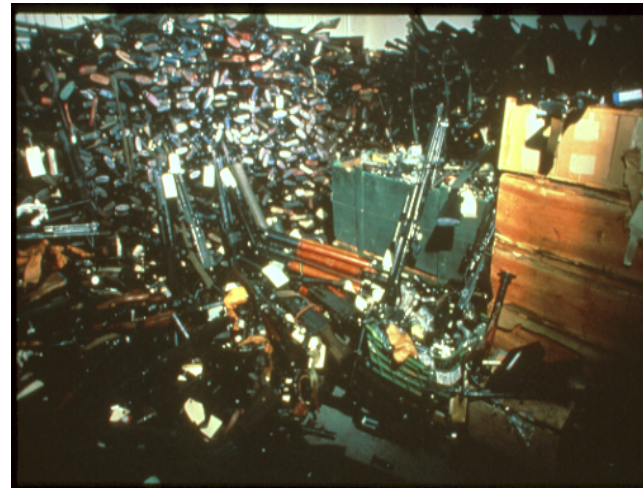
Legal Support to Operations ***(2 of 5)***

- **Noriega's Declaration of Hostilities = Declaration of War?**
- **Checkpoint & Roadblock Operations**
- **Searches, Seizures, and Requisitioning of Private & Public Property**
- **Handling Diplomats, Diplomatic Property, and Protected Places**
- **Assistance to Port Authority and Panama Canal Commission (PCC)**



Legal Support to Operations ***(3 of 5)***

- **Handling PWs, Detained Civilian in Custody, Escapees**
- **“Combat Requisitioning”**
- **Reward Programs**
 - Information Leading to Capture of Black-Listed Persons**
 - Weapons for Cash Program**
- **Sensitive Operations**
- **“Ma Bell” Program & Amnesty (“Chu Hoi”)**
- **Civil Disturbance Operations (Failure to Plan for ...)**



Legal Support to Operations

(4 of 5)

- **Vetting of PDF for Panama Security Forces**
- **Authorized War Trophies**
 - Enemy Uniform Items
 - Enemy TA-50 Equipment
 - Bayonets and Machetes
 - Compasses, Binoculars, Map Cases & Flags

... BUT 7th ID (LI) ALLOWED NONE
- **Legal Assistance**
- **Criminal Law Issues**



Legal Support to Operations ***(5 of 5)***



- **Claims**
 - "Combat Claims"
 - Solatia Payments
 - Noncombat Claims (Personnel, Foreign, Article 139, Real Estate; Requisitions)
 - Point of Contact / Information Dissemination
- **Cessation of Hostilities & Transition from Combat to Peacetime ROE**
- **Coordinating Law Enforcement and Legal Activities of RP (Judicial Liaison Group - JLG)**

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Losses Incurred

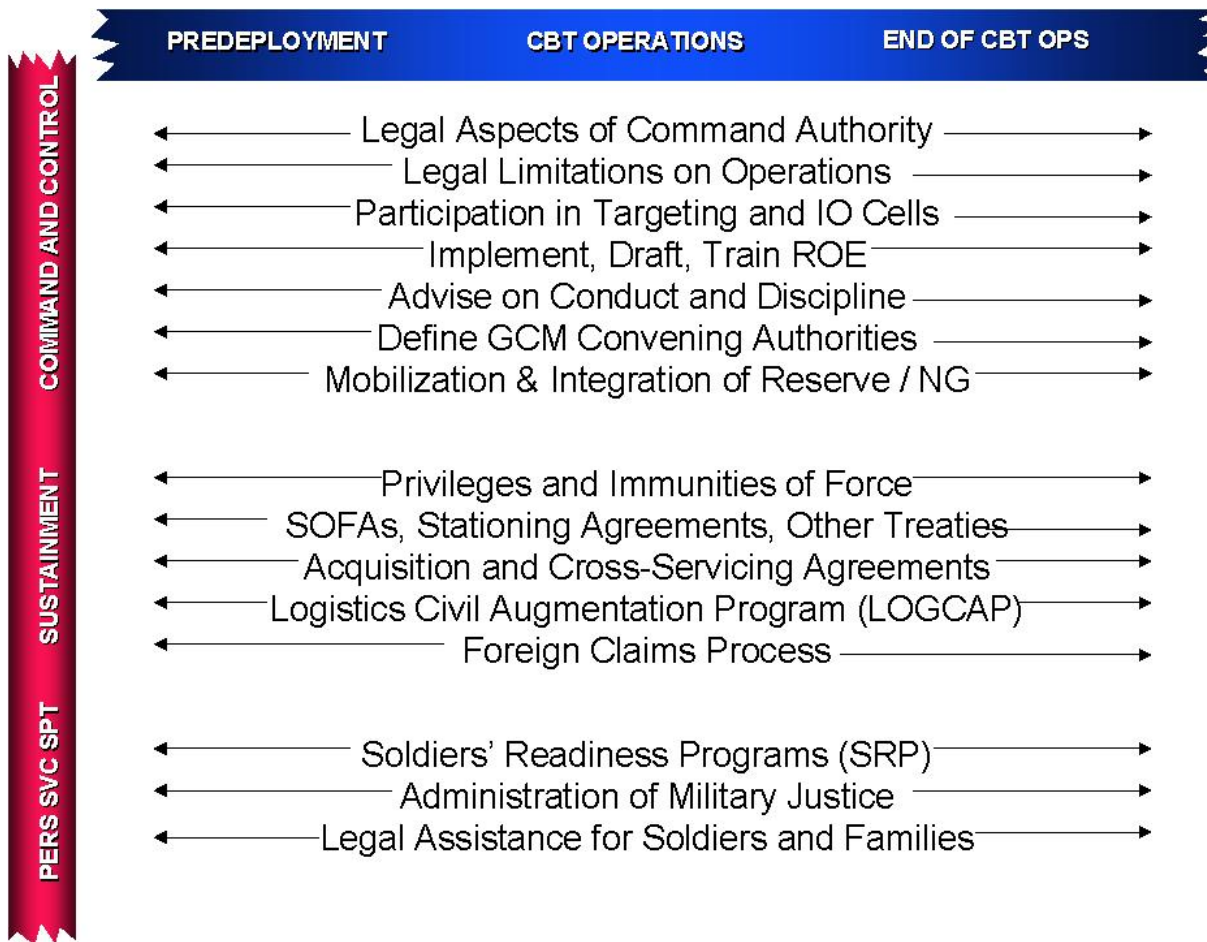


- **U.S. Casualties (JTFSO Estimate):**
 - 23 KIA
 - 322 WIA
- **PDF / Civilian Casualties (Panama Ministry Of Health):**
 - 51 PDF KIA
 - 201 Civilian KIA
- **PDF Weapons Losses:**
 - 77, 553 Weapons (Pistols, Rifles, MGs, Mines & Grenades)
(8,848 Turned in for \$811,078 In “Weapon for Dollars Program”)
 - 36 Armored Vehicles
 - 33 Aircraft
 - 7 Boats

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JA “Validated Performance Indicators”



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“Validated Performance Indicators” (1 of 3)



- **Integrated, joint planning & execution essential**
 - Breakdown of OPODS into SOF, conventional, offensive, stability led to emphasis on combat operations and force allocation problems during stability operations (conventional forces doing CA roles; FPP training)
 - Include civilian governmental organizations, NGOs, PVOs in planning and execution where possible
- **Joint SOF/Conventional force structure**
 - Joint SOF and conventional training, exercises, doctrine, and equipment key (SOF AVN support to conventional forces & targeting techniques)
 - Train as you fight, fight as you train (inadequate Army MOUT training)
 - SOF-peculiar equip. tailored to task if conventional equip. inadequate

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“Validated Performance Indicators” (2 of 3)



- **Streamlined “Warfighter-oriented” C4I**
 - Utility of LNOs (overcome communications, SOP problems)
 - JCEOI facilitated operations but excessive power on some SATCOM circuits impeded communications of adjacent users
 - Need for alternate means of communication in absence of radio (e.g., TF WHITE attempts to contact AC-130 at Punta Paitilla)
- **Requirements for integrated, streamlined intelligence**
 - ELINT not well suited to OOTW
 - HUMINT critical from military and CIA (lacking during OJC)
 - SIGINT and IMINT critical
 - Intelligence fusion at top of theater chain not optimally disseminated to SOF (PIRs not known/understood)

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***“Validated
Performance
Indicators”
(3 of 3)***



- **Night-time operations aided in securing objectives**
- **Overwhelming combat power (across entire spectrum of conflict) results in quick victory**
- **Continuous ROE review permitted maximum combat flexibility**

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"OPERATION JUST CAUSE"



LET IT BE KNOWN THAT

PARTICIPATED IN THE DEFENSE AND STABILIZATION OF THE REPUBLIC OF PANAMA AS A MEMBER OF JOINT TASK FORCE SOUTH, UNITED STATES SOUTHERN COMMAND, FROM 20 DECEMBER 1989 TO 20 JANUARY 1990. DURING THIS HISTORIC PERIOD, THIS SELFLESS CONTRIBUTION TO THE RE-ESTABLISHMENT OF A DEMOCRATIC GOVERNMENT IN THE REPUBLIC OF PANAMA WAS IN KEEPING WITH THE HIGHEST IDEALS OF SELF-DETERMINATION AND AN UNWAVERING COMMITMENT TO DEMOCRACY AND FREEDOM.

Carl W. Stiner

CARL W. STINER
LTG, USA
Commanding General
Joint Task Force South

Maxwell R. Thurman

MAXWELL R. THURMAN
General, USA
Commander - in - Chief
Southern Command

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