Protect and Serve?

The Status of Police Reform in Central America

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Introduction

During the opening session of the first Meeting of Public Security Ministers of the Americas, held in October 2008, the secretary general of the Organization of American States, José Miguel Insulza, emphatically claimed that "security-related issues have become one of the principal threats to stability, the strengthening of democracy, and the development potential of our region."[1] Insulza's statement highlighted the fundamental role that citizen security plays in the consolidation of Latin America's democracies. One of the most basic obligations of any democratic state is to guarantee the security of its population and preserve public order within a framework of respect for due process and universally recognized human rights. The lack of citizen security affects quality of life, opportunities for development, and rights as diverse as the right to freedom from harm and the right to property. If people feel incapable of fully exercising their rights and freedoms, and if they doubt the ability or willingness of law enforcement institutions to guarantee their protection, then states run the risk of losing the legitimacy and popular support essential for democratic governance.

In the modern state, the police are the main institution responsible for law enforcement, and they are often the population's first point of contact with the state. As such, they constitute a central element of democratic societies. In Central America, the first efforts to create modern, apolitical, and democratic police forces emerged after the brutal civil wars that claimed the lives of more than 300,000 people in the region. In that era, military forces or death squads linked to the military tortured and executed thousands of civilians. Police units participated directly in the conflicts through political espionage, illegal detentions, forced disappearances, torture, and participation in those death squads. Because of this troubled history, the peace processes in Guatemala and El Salvador, the democratization process in Honduras, and the political transformation in Nicaragua gave priority to police reform as an essential condition for the construction of a firm and lasting peace. The central objectives of these reforms were the separation of police and military forces, the establishment of civilian control over security forces, the demilitarization of internal security, and the creation of responsible, apolitical, and effective police forces that

respect human rights. Given the paramilitary origins of many of the former security forces and their role as a tool for societal control, the democratization processes required a profound reengineering of the security forces and not just the adoption of a list of piecemeal reforms.

By the end of the 1990s the region had achieved important advances in police reform, although with some disparities between countries. The police and military forces had been separated. Guatemala and El Salvador had established new police forces, and Honduras and Nicaragua had restructured theirs. The new forces had better leadership, better oversight mechanisms and vetting procedures, improved investigative capacity, internal and external control systems, and better-organized patrol functions. New police doctrines were announced and steps were taken to bring the police closer to the community. Civil society actors, for their part, began to participate in monitoring police activities. On the whole, these reforms raised citizens' expectations of a police service that would provide basic security without prejudice or preference.

These initial advances did not come easily, and there have been many obstacles and setbacks. Much of Central America is engaged in a fragile and uneven transition toward democracy. The majority of police forces still do not have solid command and control structures or completely functional systems of internal control. Investigative units are weak and plagued by poor leadership, corruption, and politicization.[2] Revelations of human rights violations, corruption, and, in some cases, infiltration by powerful criminal networks have damaged the image of the police. At the same time, insufficient attention has been given to preventive and community-oriented policing models.

While the reforms were underway, the region was hit by a wave of postconflict violence. In recent years the area of Central America known as the "northern triangle" (El Salvador, Guatemala, and Honduras) has experienced increases in homicides and other crimes, making it one of the most violent subregions in Latin America and the world. Factors contributing to rising crime rates include the high levels of poverty and exclusion, the lack of opportunities for youth, the disintegration of family units compounded by growing gang activity, and easy access to small arms. Equally important are the fragility of state institutions and the lack of cooperation between them, a situation

leading to an increasing tolerance of police abuse. The absence of security has also pushed citizens to seek other options, from hiring private security companies to acquiring weapons and even taking justice into their own hands.

The roots of the widespread violence are largely structural, and addressing them will require profound and comprehensive political solutions. Police reform is central to this effort. A democratic state that respects civil and human rights must have a civilian police force committed to the prevention and investigation of crimes, to respect for human rights and due process, and to strong community relations. The police reform processes in the region have been slow and difficult. However, the consolidation of Central American democracies into modern states that guarantee respect for human rights cannot be achieved without strengthening and professionalizing their police forces. This in turn depends on critical structural and institutional elements—good leadership and training, effective internal and external control mechanisms, and a functioning system of command and control. Success will be impossible without long-term vision and strong political will on the part of the region's governments.

For more than two decades, the Washington Office on Latin America (WOLA) has worked on issues related to human rights and citizen security. Because the Central American peace processes included the formation of modern and professional police forces as a key element, WOLA closely monitored the first police reform efforts as well as U.S. and international police assistance, writing numerous reports on the subject.[3] Over the years, WOLA has partnered with various Central American civil society organizations working on citizen security and institutional reform of the police. WOLA has also participated actively in police reform processes in Haiti and Mexico and has continued working closely with many organizations involved in the issue at the regional level.

The new forms of violence affecting most of Central America today pose a serious challenge to governance and the rule of law. An effective response requires a new focus that, among other things, gives priority to a genuine effort to strengthen and professionalize police institutions. Toward that end, WOLA has recently revamped its police reform program. As a first step, WOLA commissioned the present study to highlight the overarching need to redirect national and international efforts toward the

For more than two decades, WOLA has worked on issues related to human rights and citizen security. In this 2003 photo, former WOLA associate Rachel Neild speaks at a conference on public security and human rights in Mexico.

exacerbated by the growing influence of organized crime and drug trafficking.

Unfortunately, the surge in crime and violence occurred just as the international community was reducing its attention to police reform in Central America. International partners played an important role in providing political, financial, and technical assistance to the police reform processes, and despite problems of prioritization and coordination, their support and political pressure were crucial to the gains that were made. During the 2000s, however, several factors led to a reduction in international involvement. The support that has continued tends to focus more on combating drugs and terrorism than on the structural reforms necessary for the consolidation of police forces.

The worrisome situation of insecurity and the state responses to it have resulted in clear setbacks in some areas where advances had been achieved, threatening the still fragile police institutions. The increase in criminality has strengthened support for repressive responses, especially greater involvement of the national militaries in public security tasks. The citizenry, worn down by daily crime and violence and understandably afraid, has demanded stronger action by their governments. In some cases governments have siezed on this discontent to promote more rigid policies that threaten to roll back advances in civil and human rights and the professionalization of the police,

professionalization and strengthening of the Central American police forces. The definition of clear policies for the consolidation of modern, efficient, and rights-respecting public security forces must be a central element of democratic consolidation and extension of the rule of law in the region.

This report paints a portrait of the police in Central America today. It draws on interviews conducted by in-country experts with government officials, current and former police, representatives of international aid agencies, and civil society leaders in El Salvador, Guatemala, and Honduras. Beginning with the reforms that emerged from the peace and political transition processes in the region, the report analyzes the current state of police reform processes, particularly in Guatemala, El Salvador, and Honduras, with a lesser focus on Nicaragua.[4] Each section examines a key aspect of the creation of professional police forces, including (a) police recruitment, selection, and training, (b) police leadership, (c) internal controls and disciplinary mechanisms, (d) external controls, (e) criminal investigation, and (f) community policing. Clearly, these are not the only areas of concern; important issues that remain outside the scope of this report include, among others, the organization of police forces, the deployment of preventive police, and the development of command and control structures. Each thematic section evaluates the advances, setbacks, and failures in individual countries with respect to the issue in question. Overall, the report highlights the challenges that these countries must meet as they seek to build modern and democratic police forces and provide for the security of their citizens. It concludes with recommendations for actions by the countries of the region and for the role that the international community can and should play to support these efforts.

First Steps Toward Democratizing and Modernizing the Police

During the 1990s, Central America, particularly El Salvador, Guatemala, Honduras, and Nicaragua, embarked on a remarkable process of political opening. The demilitarization, reform, and professionalization of the police forces was a central element in the process of constructing more modern and democratic states. The basic approach was to separate police and military forces and clearly define their respective functions. At the same time, these countries sought to transform old police forces that had functioned as tools of political repression and human rights violations into civilian, professional, and apolitical institutions that are responsible for public security and exist to serve the citizenry, not to defend the narrow interests of a particular person or group. Although they shared certain similarities, the police reform processes of the 1990s had distinct characteristics in each country.

EL SALVADOR

The Chapultepec Peace Accords of 1992 contained sweeping reforms that addressed the creation of a new police force in great detail. The accords stipulated the dissolution of the three main public security forces—the National Guard, the National Police, and the Treasury Police—and replaced them with a new force. The Constitution separated national defense from public security, with the former remaining the exclusive responsibility of the army and the latter in the hands of the new National Civilian Police (Policía Nacional Civil, PNC), which depends on civilian authorities. The accords provided for a new police force composed mainly of civilians, with a limited number of ex-combatants from both sides—20 percent from the old police and 20 percent from the Farabundo Marti National Liberation Front (Frente Farabundo Martí para la Liberación Nacional, FMLN).

The institutional design of the new police was to be highly decentralized in an effort to ensure checks and balances.[5] A National Public Security Academy (Academia Nacional de Seguridad Pública, ANSP) was created as an institution separate from the PNC, and an autonomous Vice Ministry of Public Security (Viceministerio de Seguridad Pública) was established to oversee the relationship with the new police. Internal control mechanisms were created to review compliance with institutional codes, procedures, and orders, and to monitor use of resources. The entire system was supervised by an Inspector General's Office, which was established under the direct command of the Vice Ministry of Public Security, independent from the director of the police.[6] A new criminal investigative unit was established, and at the insistence of the U.S., a separate antinarcotics unit was also created.

The police reform in El Salvador faced resistance on multiple fronts, and there were political battles for control of the direction and function of the

The strong emphasis in the peace accords on the transformation of the army and police offered the chance to create something new.

new institution. Although the accords called for institutional transformations, the government had to be pressured at each step to follow through on its commitments. Among the first points of contention was the dissolution of the old police structures; several attempts were made to incorporate their members into the new police force and to maintain military personnel in public security functions. The political maneuverings to transfer members of the old security structures into the new police force were so intense that on several occasions the United Nations Observer Mission in El Salvador (ONUSAL) had to apply diplomatic pressure to keep the police-related aspects of the accord on track.

Furthermore, the high levels of postwar violence and the need to replace the old security forces after their demobilization led to the massive training of police to confront the country's public security needs. The violent context favored an emphasis on a greater police presence and deployment across the territory, leaving aside other important aspects such as a rigorous selection process capable of filtering out applicants unfit for service. As a result, some people with criminal or otherwise suspicious backgrounds were able to enter the new force. Also relatively neglected were police training, the development of institutional planning capacity, and the creation of a disciplinary system, which only began to function a year and a half after the initial deployment of the PNC.[7] Despite this rocky beginning, the National Public Security Academy simultaneously trained 2,200 recruits, and the first deployments achieved, with the help of the citizenry, the dismantling of dangerous criminal groups in rural areas. This earned the new police high marks in the eyes of the public. The strong emphasis in the peace accords on the transformation of the army and police offered the chance to create something new and to achieve an important institutional break with the past.

GUATEMALA

In Guatemala, by contrast, the peace accords barely addressed the subject of police reform, touching on it mainly in the Accord on the Strengthening of Civilian Power and the Function of the Army in a

Democratic Society. The reforms that were laid out have been poorly implemented. The accord called for efforts to establish a clear separation between the police and the military and for the creation of a new police force to replace the old public security forces, which the army had used as a counterinsurgency tool. The technical commission for justice, tasked by the peace negotiations with evaluating police issues, never addressed them. In fact, the government of Álvaro Arzú, outside of the negotiation process, offered the task of creating the new police force to the Spanish Civil Guard (Guardia Civil Española, GCE), considered by many international experts to be a highly militarized police force. It was unclear why the government chose Spain as the primary donor. Guatemalan government officials claimed they wanted to avoid the model implemented in neighboring El Salvador of multiple donors and mixed messages they viewed had resulted from that approach.[8]

At the beginning of the reform process in 1997, the Guatemalan government opted to give priority to the rapid deployment of the new police. As a result, and contrary to the recommendations of international experts, the National Civilian Police (Policía Nacional Civil, PNC) was composed mostly of members of the old police force, who transitioned after receiving a scant three months of training. So extensive was this recycling of old police into the new force that, five years after the signing of the peace accords, 11,000 of the 19,000 members of the new PNC had been members of the old police force.[9] Moreover, the efforts to clearly define and consolidate the distinction between army and police functions ended abruptly in May 1999 with the defeat of a national referendum on 50 constitutional reform proposals, among them the removal of military forces from public security tasks.

By 2000, the PNC had established a minimal presence in each of the country's 22 departments. The government had approved new laws, raised police salaries, and provided equipment, weapons, and vehicles; the majority of these measures were undertaken with little financing from the international community, showing a willingness on the part of the PNC to invest its own resources. In general, the

institution was well received by the population, at least compared to the old force. Nevertheless, the Arzú administration, in its desire to respond quickly to the grave security problems, implemented measures that compromised the professionalization of the new police. As a result, the process was marked by serious deficiencies with respect to recruitment, training, leadership, and internal discipline. All of this undermined the quality, efficiency, and professionalism of the PNC, significantly limiting the impact of the reforms.[10]

HONDURAS

In contrast to El Salvador and Guatemala, where police reform emerged from the negotiation of peace accords, in Honduras the process began in response to popular protest against the incompetence of the Public Security Force (Fuerza de Seguridad Pública, FUSEP), which had been under military control since the 1963 coup d'etat. The police proved unable to contain the wave of crime across the country, and there were rising indications that members of the police were participating in acts of corruption, human rights abuses, and other criminal acts. Against a backdrop of democratization throughout the region, public outcry over the performance of the police created social pressure for reform.

As a result, an Ad Hoc Commission was established in 1993 to study the situation. The commission later recommended separating the investigative and preventive functions of the police. It also called for creation of a new Department of Criminal Investigations (Departamento de Investigación Criminal, DIC) to replace the feared National Investigations Directorate (Dirección Nacional de Investigaciones, DNI), which had participated in tortures, disappearances, and assassinations during the 1980s. The DIC would report to the new Office of the Public Ministry, established in 1995. The old Preventive Police and the new DIC remained under the control of different authorities until 1998, when Congress approved the new Police Organic Law (Ley Orgánica

In spite of efforts by citizen groups to purge the Honduran National Police of elements from its predecessor, most officers were simply transferred.

de la Policía). The law separated the army from public security functions and transferred police functions to civilian control by establishing the National Police (Policía Nacional, PN).

The Citizens' Forum (Foro Ciudadano), a coalition that brought together 12 civil society organizations (more than 30 at the height of the debate), led an impressive advocacy campaign around the law. It argued for a more thorough purging of abusive and corrupt officers and for preservation of the autonomy of the investigative police.[11] The Citizens' Forum lost the battle, however, as the new law created a Security Secretariat (Secretaría de Seguridad) that was to be in charge of both the preventive and the investigative police. The latter became known as the General Directorate of Criminal Investigation (Dirección General de Investigación Criminal, DGIC). Although they did not succeed in maintaining the separation of the two forces, the Citizens' Forum did manage to establish the National Council for Internal Security (Consejo Nacional de Seguridad Interior, CONASIN), with significant civil society participation and broad powers of external oversight over various public security functions.

In spite of efforts to purge the new National Police, most officers were simply transferred to the new force

Drastic cuts in the police budget produced a considerable reduction in salaries, which led in turn to a marked increase in acts of bribery and corruption.

without a serious background check or sufficient training. For its part, the investigative police, under the direction of the Public Ministry between 1995 and 1998, achieved significant advances in implementing more advanced evidence gathering techniques and in the training of investigators, but it was weakened by the Security Secretariat's tendency to privilege the preventive police.[12] The creation of CONASIN was an important advance for civil society participation. However, the Council never achieved its original purpose effectively, in part because of the lack of political will on the part of the Security Secretariat and the president and in part because of a lack of knowledge among its civil society members.

NICARAGUA

As with its Honduran counterpart, the National Police of Nicaragua (Policía Nacional, PN) did not emerge from a negotiated agreement but rather had its origins in two separate processes of transformation. From 1927 until 1979, police functions were carried out by the National Guard and were therefore linked to the army. The Guard's policing was colored by the repressive nature of the Somoza regime that was overthrown by the Sandinista Revolution in July 1979.[13] One of the first steps taken by the Sandinista National Liberation Front (Frente Sandinista de Liberación Nacional, FSLN) was the dissolution of the Guard and the rapid creation of new security forces composed of members of the Sandinista rank and file. Thus two months after the Sandinistas took power, the Sandinista Police was founded as a civilian organization under the Interior Ministry. By late 1979 the Sandinista Police had 12,000 members, though most were students, farmers, and workers with no previous police training.[14]

In subsequent years, from 1982 to 1988, police activity was focused on military defense. In spite of this, the police were able to accumulate an important body of technical and organizational experience and advance to construct a policing model focused on prevention, education, and service to the community in an effort to ensure a high level of efficiency despite the country's poverty.[15] The early years of the Sandinista

Police were notable for the reduction in human rights abuses, but soon accusations emerged that the police had become politicized and were participating in actions to silence political opposition.

The second transformation process occurred after the unexpected defeat of the FSLN in the 1990 elections, which installed a broad-based opposition alliance that began a series of changes.[16] The new administration of President Violeta Barrios de Chamorro sought to sever the longstanding ties between the FSLN and the police, an effort that the Sandinistas and popular organizations resisted. The central issue was not one of quality but rather of control, namely whether the Sandinistas would maintain control of the police (and the army).[17] Under pressure from various sources, Chamorro dismissed the head of the police, René Vivas, along with other high-ranking Sandinistas, but maintained the rest of the command structure largely intact.[18]

In an interesting twist, it is believed that, prior to the announcement of Vivas removal, he negotiated a deal with Chamorro advisor Antonio Lacayo whereby the administration released a presidential decree detailing guidelines for the internal management of the police, including regulations on promotions and internal discipline procedures. This decree secured the command structure and was the first step in creating a legal framework for the police. In an interview several years later, former police chief Francisco Montealegre underscored the importance of this step: "For the first time in the history of Nicaraguan public order, the police's organization, functioning, and jurisdiction is established. The foundations are laid [for the force] to acquire its own differentiated identity, the institution's civil nature is reaffirmed, and it declares itself to be nonpartisan."[19] The reforms outlined in the decree were fleshed out in the constitutional reforms of 1995, wherein the PN's nature and functions were explicitly defined and clearly distinguished from the military's role. The process culminated in 1996, prior to the elections, when the Organic Law of the National Police (Ley Orgánica de la Policía Nacional) was approved with the broad support of diverse sectors, guaranteeing

the subordination of the police to civil authorities and more completely defining its rules and regulations.

During these and subsequent years, the Nicaraguan police experienced serious problems. The Chamorro administration constantly used the police to suppress demonstrations throughout the country; these were organized mainly to protest the government's neoliberal reforms, aimed initially at controlling inflation. Sandinista groups continually accused the police of committing human rights abuses. The police and army were also used to put down various armed peasant groups demanding land in rural areas. It was a particularly bloody period in the short history of the PN. After four years, there were more than 1,500 deaths among former Contras, peasants, Sandinistas, police, and soldiers.[20]

The National Police also faced budgetary problems. Drastic cuts in the police budget produced a considerable reduction in salaries, which led in turn to a marked increase in acts of bribery and corruption, mainly in the transit police, and desertion from the force. A common trend developed whereby candidates trained in the police academy served for a few months and then were hired away by private security companies offering higher salaries.[21]

Despite these limitations, the police force maintained the efficiency it had demonstrated during the war of the 1980s, achieving broad acceptance by the population. It also carried out efforts to consolidate its institutionalization process and strengthen its relationship with the community. One of the greatest advances was the establishment in 1993 of Women's and Children's Commissaries (Comisarías de la Mujer y la Niñez), led by women, to respond to cases of domestic and sexual violence.[22] The PN was the first Central American police force to develop this type of initiative.

A MIXED RECORD OF REFORM

By the end of the 1990s, these four Central American countries had managed to establish new civilian police forces separate from the military and differing in important ways from the forces they replaced. Throughout the region, various laws were adopted to define and regulate their activities. The new institutions benefited from oversight and control mechanisms, spaces for civil society participation and external oversight, and investigative units.

However, the reform processes were derailed in different ways, and this limited their reach to a different extent in each country. The processes were not independent from the movements of democratic transition, and therefore they were not exempt from the pressures brought by certain sectors and special interests. In some cases, notably in El Salvador and Guatemala, the police forces were established in violent postwar environments that resulted in an emphasis on widespread deployment and sheer numbers rather than professional development. In other cases, despite efforts to establish something new, members of the old forces were incorporated into the new police, sometimes without rigorous background checks; this occurred in Honduras and to an even greater extent in Guatemala. And although internal control mechanisms existed, their implementation and reach were limited. In Nicaragua, despite difficulties, the PN managed to become a relatively professional force. In sum, the reform processes were in no way easy, their results have been uneven, and their consolidation is far from assured.

The Public Security Situation In the Region

In recent years violence and insecurity have emerged as troubling issues in Central America. With an average homicide rate greater than 36 per 100,000

Recent years have seen increases in violent crime in countries such as Guatemala, as depicted by this 2009 cartoon which appeared in the Guatemalan daily *Siglo XXI*.

inhabitants, combined with high levels of other crimes such as robbery, extortion, and gender and family violence, Central America, particularly El Salvador, Guatemala, and Honduras, has become one of the

Amid such insecurity, populations are taking measures to protect themselves.

world's most violent subregions.[23] In 2006 there were more than 3,928 recorded homicides in El Salvador, or 55 per 100,000 inhabitants.[24] Guatemala and Honduras had homicide rates of 45 and 43, respectively, that year.[25] According to the Pan American Health Organization (PAHO), these rates have crossed the threshold into what are considered "epidemic" homicide levels.

In Nicaragua, the homicide rate in 2008 was 14 per 100,000 inhabitants. Although the level is lower than in the other three countries, the increase that began in 2002 is worrisome because for many years Nicaragua maintained one of the lowest homicide rates in Central America and lower than many countries in South America.

Unlike the violence of the war years, the violence currently plaguing the people of Central America cannot be attributed to one clear cause. Economic insecurity and high levels of inequality have produced serious social tensions that have given rise to various forms of criminality, including common crime, intrafamily violence, and youth gang crime. Politically motivated violence, although less common now than 20 years ago, continues to exist, especially in Guatemala. In addition, the emergence of drug trafficking throughout Central America and the expansion of other forms of organized crime have contributed to the growing levels of violence and homicide in the region.

Amid such insecurity, populations are taking measures to protect themselves. The number of fenced or gated communities is growing, and private security companies are springing up everywhere. Polls indicate that a large percentage of the people in each country have been victims of crime or know someone who has. The population's fear has produced a strong demand for prompt and effective state responses, including a return to repressive tactics. In Guatemala a Latinobarómetro poll revealed that 47 percent supported the use of an "iron fist" (*mano dura*) to reestablish security, and 36 percent accepted the practice of taking justice into one's own hands.[26] These attitudes are shared in Honduras, where more than 55 percent of those polled accepted the use of extralegal actions by the authorities to combat crime.[27] Insecurity and lack of faith in public security institutions have also resulted in the emergence of death squads and numerous cases of extrajudicial executions at the hands of—or with the acquiescence of—police officers in El Salvador, Guatemala, and Honduras, as well as lynchings, mainly in Guatemala.[28]

One of the most visible sources of violence has been the youth gangs. At the turn of the 21st century, governments began implementing more repressive anti-gang policies, with harsher penalties and greater police powers. Honduran President Ricardo Maduro (2002–6) pioneered the iron fist approach in the region. In 2002 Maduro promoted the first Anti-Gang Law, raising penalties for gang membership through the reform of Article 332 of the Criminal Code. Honduras also adopted the Police and Social Harmony Law, which authorized the police to "control" the population

BASIC POLICE FORCE INFORMATION

COUNTRY	Police Force	Population	Size of Police Force	Police per 1,000 inhabitants
GUATEMALA	National Civilian Police (Policía Nacional Civil)	13,018,000	20,136	1.55
EL SALVADOR	National Civilian Police (Policía Nacional Civil)	6,991,000	16,376	2.34
HONDURAS	National Police (Policía Nacional)	7,033,000	8,258	1.17
NICARAGUA	National Police (Policía Nacional)	5,142,098	8,504	1.65

Source: "Cuadro Comparativo de Indicadores Policiales en Centroamérica y el Caribe al 31 de diciembre 2006," Observatorio Centroamericano sobre Violencia (OCAVI)

in certain areas in order to combat crime. In 2003, El Salvador followed suit by adopting its own anti-gang law. The administration of Antonio Saca adopted the "Super Iron Fist Plan" (Plan Súper Mano Dura), an adaptation of the previous plan that also included the sweeping detention of suspected gang members. Although Guatemala did not pass an anti-gang law, it did implement repressive measures. This was not the case in Nicaragua, where the authorities generally opted for prevention of gang activity.[29]

The arbitrary detention of thousands of people who were later freed for lack of evidence against them failed to reduce crime levels in El Salvador, Guatemala, and Honduras. Moreover, these anti-gang policies had a devastating impact on the professionalization of police forces by encouraging the police to carry out detentions on the basis of vague, subjective criteria or prejudices rather than hard evidence. At the same time, as detailed later in this report, the policies contributed to frequent abuses by police. In some cases, as reflected in the above-mentioned polls, they contributed to a climate of tolerance toward extrajudicial activities by members of the police forces.

The lackluster results of these get-tough approaches, combined with strong criticisms from various national and international sectors, led governments to distance themselves from the iron fist rhetoric. Nevertheless, as some experts point out, this has not led to the implementation of a genuinely new, alternative strategy. Even though the number of detentions has dropped, the governments in general have continued to emphasize a zero-tolerance attitude rather than prevention or more targeted and effective police practices.

Several governments have used the high levels of crime and the deficiencies in police performance as justification for allowing the army to continue exercising public security functions. In Guatemala, since the signing of the peace accords, successive governments have turned to the army to provide support to the police through joint anti-crime patrols.[30] Equally worrisome is the legal reform initiative presented to Congress in February 2009, which, if approved, would give the army the power to arrest a person caught in flagrante delicto without being accompanied by members of the PNC.[31] A similar situation exists in neighboring countries. In Honduras, the army has participated actively in police tasks during recent administrations.[32] An estimated 6,000

soldiers were used to reinforce preventive street patrols in major cities during special operations between 2002 and 2008.[33]

The involvement of the military in public security functions violates the spirit of the democratization processes and, in the cases of Guatemala and El Salvador, the peace accords. It also negatively affects the image of the police and detracts from efforts to strengthen civilian and police institutions. Joint police-military patrols blur the line between the structures and functions of both institutions, undermining the important separation of powers. They also take away efforts and resources from police professionalization. In Guatemala, for example, an investigative report found that the Interior Ministry invested 10 million quetzales a month (approximately US$1.25 million) to cover expenses related to the army's support for the police.[34]

To date, the responses to high levels of crime in the region have focused on the control and suppression of violence through the implementation of reactive, short-term strategies. There have been few efforts to identify and confront the causes of crime in a comprehensive and sustainable way. The get-tough measures have provided an immediate response to public demands for action and have played well in the mass media, but results on the ground have been thin and unsatisfactory.

An effective response to the new threats facing the region requires a new vision. Among other things, it requires renewed efforts to strengthen and professionalize the police as one of the fundamental pillars of crime-control efforts, along with a significant emphasis on violence prevention and on rehabilitation. The task is not easy, and results will not be immediate, but the ability to guarantee citizen security depends upon a modern and effective police force that respects due process and human rights. This requires advances in the recruitment, selection, and training of police, the strengthening of internal and external oversight and control mechanisms, and improvements in work conditions and promotions in order to ensure stability, a dedication to service, and strong leadership within police institutions. It also requires the strengthening of investigative capacities and the development of strategies to improve police-community relations so that civil society will participate in efforts to address the problems of insecurity.

Deficiencies in recruitment have made it difficult to attract ideal candidates with a service ethic.

Finding the Right People: Police Recruitment, Selection, and Training

The quality of a police force depends to a great degree on its members, and by extension on policies regarding the recruitment, selection, and training of members and the conditions in which they work.[35] A central task of the Central American police reform processes, therefore, was the reform of police training and the creation of civilian police academies. Throughout the region, important efforts have been made to improve recruitment, selection, and training. Nevertheless, reports and interviews with experts point to several persistent challenges that must be overcome.

EL SALVADOR

The National Public Security Academy (Academia Nacional de Seguridad Pública, ANSP) emerged from the peace accords as the entity responsible for the formation of police recruits and officers. In contrast to the situation in most other Central American countries, the Salvadoran accords made the academy independent from the PNC in order to guarantee a clearly civilian education of police and avoid the teaching of abusive practices that were used during the war. The ANSP currently has a director named by the president, as well as an academic advisory board consisting of distinguished civilians (also named by the president) who are responsible for approving the curriculum and directing police training.

Deficiencies in recruitment have made it difficult to attract ideal candidates with a service ethic. In the opinion of one police commissioner, recruitment publicity is not targeted at the most desirable candidates, nor does it make an effort to attract more women recruits. It is sometimes directed toward sectors of the population at a higher socioeconomic level than the people who generally enter the academy, which limits its effectiveness. "If we're selling TV spots and newspaper advertisements, we're on the wrong path."[36]

The selection and enrollment process includes the verification of candidates' information by the Background Verification Unit (Unidad de Verificación de Antecedentes, UVEA), which visits candidates' schools and places of residence to gather data. Enrollment is authorized by the Enrollment and Promotion Tribunal (Tribunal de Ingresos y Ascensos, TIA). Both entities attempt to guarantee the selection of people who meet the established requirements and display the characteristics desired of members of the police. However, various organizations have highlighted the weaknesses of the selection process. In 2003 the U.N. Human Rights Commission expressed concern regarding the PNC's inability to deny entry to people who might have been involved in human rights abuses. Similarly, a study conducted by the El Salvador–based Foundation for Applied Legal Studies (Fundación de Estudios para la Aplicación del Derecho, FESPAD), a nongovernmental organization, revealed that on occasion the UVEA has not verified candidate information through on-site visits but instead has done so over the phone or by other indirect means.[37] Furthermore, one of the most common complaints from police over the years has been that fellow officers were either selected for recruitment or promoted based on recommendations by public officials rather than on their own merit. More recently, the National Commission for Security and Social Peace (Comisión Nacional para la Seguridad Ciudadana y la Paz Social), an advisory body made up of academics and representatives of political parties, has recommended changing the enrollment mechanisms and improving coordination with police oversight bodies to ensure the enrollment and promotion of upstanding police and the exclusion of ones with questionable records.[38]

Once enrolled in the academy, the candidate must pass courses corresponding to each level and category. According to those interviewed, the academy has gone through various phases of revising and refining the curricula for all levels of police training. Perhaps one of the biggest reforms has been the recent move to a "competency model" (*modelo de competencias*). Supported by the Spanish development agency (Agencia Española de Cooperación para el Desarrollo, AECID), the model focuses on utilizing

real-world experience to foster practical skills that can be gained more effectively through practice than through academic discussion. This model was designed to address criticisms that the training previously provided was too abstract and theoretical. Nevertheless, some experts have argued that the new model could reduce the scope of police training to a limited set of practical skills, deemphasizing the importance of subjects such as police regulations and of values such as human rights.

A member of Salvador's Police Reaction Group trains at the National Public Security Academy in Comalapa, El Salvador.

The basic course currently consists of nine months of instruction in the academy plus three months of in-service training. Subinspectors receive one to two years of instruction and six months of practical training. Previously the in-service training was done in several phases, which permitted police to return to the classroom to analyze what they had learned in the field. This process was modified and currently the field training consists of just one phase. According to one member of the police, instructors now make more rigorous visits to the units to which cadets have been assigned in order to observe both the working conditions and the degree of learning and participation by the candidates in their assigned activities. This permits valuable feedback to the institution, "although it is not as helpful for the student."[39]

To earn promotion, police must pass certain required courses.[40] Aside from these, there is no formal continuing education curriculum. Continuing education and refresher courses "are given but they aren't the norm."[41] As a result, as one commissioner explained, "after graduating and enrolling in the police, a student can go through his entire career without [further] training. It's an exceptional case but it could happen. There is no requirement to take any specific course."[42]

One of the main advances has been the introduction of respect for human rights and the concept of community policing. Students now receive training in this area, although it has not been institutionalized in a new culture and philosophy. "You have to distinguish practice from theory. The recruits can understand a bit about what community policing means, but they don't implement it in practice. And there's the difficulty, trying to internalize the concept instead of just memorizing the concept and saying what it is."[43]

In spite of important advances, observations by experts and some police interviewed as part of this study suggest a significant gap between training and practice. According to one police commissioner, "There is a considerable contradiction between how [the institution] attempts to train its members and the way they work."[44] As a FESPAD representative described, "We have an academy where humanistic and human rights topics have acquired a merely formal character. In this sense, we have a police force that is better trained for carrying out detentions, interventions, and patrol operations, but that is quite weak with respect to the doctrine and legal framework of human rights, the respect for constitutional guarantees, and the prevention and investigation of crime. Even the interaction with the community through community policing is a big deficit in police training and professionalization."[45] The new education model

REQUIREMENTS FOR JOINING POLICE FORCES*

SALVADORAN NATIONAL CIVILIAN POLICE[i]
- Be Salvadoran by birth
- Be over 18 years old and under 28 years old (applicants to the executive level must be under 30 years old)
- Be taller than 1.60 meters for men and 1.55 meters for women.
- Have graduated from high school (applicants to the executive level must have a university degree, BA, engineering or architecture)
- Have no police or criminal record
- Have no court record
- Enjoy full rights of citizenship
- Never have been fired for disciplinary reasons from a position in government service, municipal service, or from any other official autonomous or private institution.
- Have no tattoos, no scars from tattoo removal and no piercing (for men)

GUATEMALAN NATIONAL CIVILIAN POLICE[ii]
- Be Guatemalan by birth
- Be over 18 years old and under 28 years old
- Be taller than 1.55 meters for men and 1.45 meters for women
- Have graduated from high school
- Have no police or criminal record

HONDURAN NATIONAL POLICE[iii]
- Be Honduran by birth
- Be over 18 years old and under 30 years old
- Be in good health condition comparable to the position
- Have completed primary schooling (applicants for criminal investigation are required to have completed secondary schooling)
- Have no police or criminal record or facing criminal charges
- Never have been fired for disciplinary reasons from a position in public service
- Never have committed human rights violations

NICARAGUA NATIONAL POLICE[iv]
- Be Nicaraguan by birth
- Be over 18 years old and under 30 years old
- Be taller than 1.58 meters for men and women
- Have completed primary schooling

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*   The requirements given above are for entry at the most basic level of the institution. Requirements for entry into investigator or "upper brass" training are different.
i.   Information taken from http://www.pnc.gob.sv
ii. Information taken from http://www.pnc.gob.gt
iii. Information taken from police.gob.hn
iv. WOLA interview with Nicaraguan police personnel, June 5, 2009

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is designed to overcome this gap. Given its recent implementation, it is still too early to know whether the new model will be able to change this trend.

The yearly diagnostic and recommendations produced by the training academy and the Division of Police Training (Unidad de Formación Policial) regarding the needs of the police has helped improve the level of coordination between the academy and PNC in adapting the curriculum to the country's needs. Nonetheless, in practice, implementation of these recommendations has been affected by budgetary resources, availability of instructors, and personal characteristics of the PNC and ANSP directors.[46] In fact, as one commissioner pointed out, police training has sometimes been affected by the tendency to change the curriculum with each new director's arrival.[47]

GUATEMALA
In Guatemala, the selection and training of all recruits and police officers is the responsibility of the National Civilian Police Academy (Academia de la Policía Nacional Civil, APNC). Unlike El Salvador's academy, in Guatemala the academy is part of the police. From its inception, the APNC has been plagued by numerous weaknesses, difficulties, and challenges. The United Nations Verification Mission in Guatemala (MINUGUA) reported in 2003 that once the police reached its goal of 20,000 members, which it achieved by incorporating members of the old forces, the Interior Ministry and the police high command seemed to believe that supporting the academy was no longer a priority. Drastic budget cuts in 2002 (down to 9 million quetzales, or US$1.1 million, from 45 million, or US$5.6 million, the year before) almost caused the academy to close.[48] According to the Human Rights

Ombudsman's Office, the ongoing lack of resources and inadequate facilities have prevented the academy from recovering.[49]

As in El Salvador, recruitment and selection are among the main challenges. Despite the creation in 2000 of a Background Verification Unit (Unidad de Verificación de Antecedentes, UVA), a study four years later revealed serious limitations in both areas. Problems included the lack of resources and coordination to support broader recruitment publicity; staff shortages; outdated psychological and vocational tests; limitations in the system of verifying candidates' personal information; tardy, or nearly inexistent, verification of submitted documentation; and nepotism and partiality in enrollment decisions.[50] In addition, as in some other countries, the poor public image of the police, their low salaries, and their limited advancement opportunities hobble recruitment efforts. Steps have been taken since 2004 to improve the process by strengthening the UVA, broadening the recruiting effort, investigating candidates' behavior in their communities, and devising better publicity campaigns in order to attract better candidates and a higher number of female and indigenous applicants. These changes have led to important progress and should be evaluated and reinforced where appropriate.

In 2002 the educational situation within the police reached a crisis point. According to a report by the Latin American Social Sciences Faculty (Facultad Latinoamericana de Ciencias Sociales, FLACSO), of the 18,000 police officers in the PNC that year, more than 11,500 had only completed primary school.[51] Furthermore, many of the police recycled from the old forces had not even finished primary school. In 2004, in an effort to improve the academic quality of candidates, the level of required schooling was increased from middle school to high school. This prompted criticisms from some who believed that the low rates for completing secondary education would make it difficult to fill vacancies in the academy. In spite of this, some of those interviewed argued that the police have been able to carry out successful recruitment strategies.

As in El Salvador, one of the principal changes regarding basic training has been the shift to a new "competency model" that places greater emphasis on equipping cadets with concrete, practical police skills. This process was supported by aid from the Netherlands. The training includes the application of human rights to policing as a cross-cutting axis. The process also includes training in the disciplinary code, the protection and collection of evidence (at a very basic level), and basic investigative techniques. One part of the curriculum is devoted to work with the community, although some believe this aspect needs to be reinforced. For now, the new model is only applied to basic training, although according to interviews conducted for this report, modules for mid- and high-level officers are being developed. It has not yet been possible to evaluate the impact of this training on police activity and behavior. For the most part, given the lack of feedback or evaluation mechanisms, academy training does not align with institutional needs.[52] According to one expert interviewed, an evaluation process funded by the Netherlands will attempt to overcome this problem.

The courses required for promotions or higher commands, which last a month, cover training in accountability, ethics, human rights, and basic formulation of patrolling and crime prevention strategies. In the opinion of a U.S. Embassy representative, these courses are deficient in terms of content, time, and continuity. And although attendance is logged, the quality of the trainings is not systematically evaluated.[53] In addition to these training opportunities, officials can opt to obtain a degree in police management from the National Public Administration Institute (Instituto Nacional de Administración Pública, INAP). In 2007 efforts began to design a School of Superior Studies and Specialties (Escuela de Estudios Superiores y de Especialidades).

With the dearth of official programs for higher education in this area, several Guatemalan universities currently offer programs in security-related fields.[54] However, the police personnel who take these courses usually pay their own tuition or are financed by international aid scholarships. As each university develops its own curriculum, the courses may not fulfill the institutional needs of the PNC. This is why, for many experts, the creation of the PNC's School of Superior Studies is so important.

As in El Salvador, the PNC does not offer continuing education to police personnel during their career.[55] After graduation from the academy, a police officer only returns if he takes a course for specialization or promotion. There are no intermittent refresher courses or feedback for in-service personnel.

WOMEN, INDIGENOUS COMMUNITIES, AND THE POLICE

One change evident when comparing the new police forces to their predecessors is the new emphasis on increasing the participation of women and indigenous groups. Most countries in Central America have established different prerequisites for men and women and have implemented recruitment campaigns aimed at attracting women and indigenous people to the police. Nevertheless, greater efforts are needed. Women and minorities continue to make up a small percentage of the police in several countries, and barriers hinder them from ascending the ranks.

In **El Salvador**, women are still a minor presence in the police, approximately 8 percent of the total force according to June 2008 figures. Despite cases of gender discrimination and sexual harassment, which were reviewed by the Inspector General's Office, the force lacks policies with a gender perspective. In **Guatemala**, the PNC reformed the recruitment process to include publicity in various Mayan languages, targeted campaigns, and different physical fitness standards for women. While these measures attracted more women and indigenous members, official statistics show that women's participation remains at 10 percent, mostly at the lowest rank. Indigenous participation, which was 18 percent of the force in 2001, has reached 45 percent[i] today.

In **Honduras**, women were less than 6 percent of the Preventive Police in 2003, again mostly in the lowest ranks, and they made up only 8 percent by 2008.[ii] A 2004 study described the lack of programs to promote gender sensitivity, as well as the tendency to assign female police to administrative tasks, the transit police, the community police, or units concerned with violence against vulnerable groups. The study also documented numerous obstacles confronting women during the training and promotions processes.[iii]

The opposite occurs in **Nicaragua**, where women are well represented in the police. In 1996 the PN began incorporating a gender perspective in its policy and practice, supported by the German aid agency GTZ. One outcome was the creation of the Gender Consultative Council (Consejo Consultivo de Género) to analyze problems mainly affecting women police and propose solutions. Evaluations were carried out and important changes were implemented in various areas, including the promotion of women to leadership and operational positions, specialized training for female personnel, and upgrading of information, statistics, and planning systems. As a result, the police made laudable advances in the quantity and quality of female police personnel. At the end of 1996, women made up 18 percent of police, and by 2002 they were more than 25 percent of the force.[iv] Under the current director, Aminta Granera, the percentage has risen to 32%, with plans to reach 50% in the coming years.[v] Advances were also made at the management and operational level, where women's presence increased by 80 percent between 1998 and 2002.[vi]

i   Verónica Godoy, executive director of the Instancia de Monitoreo y Apoyo de la Seguridad Pública (IMASP), personal communication with Adriana Beltrán, 2009.
ii   Sistematización de datos sobre la reforma policial en Honduras," unpublished background paper prepared for the Washington Office on Latin America, 2008. p. 7.
iii Ibid. Also see Ana María Sosa Ferrari, *Diagnóstico institucional de género en la Secretaria de Seguridad* (Tegucigalpa: ACDI-Promesas, United Nations Development Programme, and Secretaria de Seguridad, May 2004).
iv   First Commissioner Edwin Cordero Adrila, "Institucionalización del enfoque de género en la modernización de la Policía Nacional de Nicaragua," chap. 3 in *Reducción de la pobreza, gobernabilidad democrática y equidad de género*, vol. 2, *Políticas públicas y seguridad democrática* (Managua: Proyecto de Promoción de Políticas de Género/GTZ, 2003) p. 222.
v   "Entrevista con la Primera Comisionada Aminta Granera, Directora General de la Policía Nacional," *Sin Fronteras*, February 18, 2009, p. 4.
vi   Ibid., p. 222.

Discussions about restructuring the selection process and training model began in 2007. The extent of these efforts will depend on the political will to define a long-term strategy that sustains and gives continuity to educational processes. As various experts pointed out in interviews, the police education system in Guatemala is deficient and does not reflect the institutional needs of the police. Constant changes in the PNC command and in the roster of Interior Ministry officials, along with a lack of planning, have generated an educational system that fails to provide comprehensive training aligned with the police career path. This is evident in the lack of material resources and equipment, inadequate facilities, and lack of financial support for training. The problem has been exacerbated by cases of favoritism and political interference in the recruitment, selection, and promotion processes.

New training courses are quickly developed to respond to rising crime without much analysis or long-term strategy.

HONDURAS

Until recently, the selection and training of the Honduran police was under the direction of the General Directorate of Police Education (Dirección General de Educación Policial, DGEP). With the entry into force of the new National Police Law in November 2008, the DGEP was replaced by the National Police University of Honduras (Universidad Nacional de Policía de Honduras, UNPH). The latter is now under the direct command of the Security Ministry, which will oversee the newly created Police Polytechnic School (Liceo Politécnico Policial) and Police Technological Institute (Instituto Tecnológico Policial, ITP), responsible for the training of patrol officers, investigative agents, and prison police; the Junior Officers School (Escuela de Suboficiales, ESO); and the National Police Academy (Academia Nacional de Policía, ANAPO) for aspiring police officials.[56] The new system includes a Technical Consultative Committee (Consejo Técnico Consultivo) composed exclusively of the different official police schools; in the opinion of some experts, this configuration could result in the loss of coordination with state universities and human rights organizations and a reduction in their influence on the curriculum. According to some observers, the changes in the educational system were not the result of an evaluation of the old model but were promoted by the Security Ministry itself.

Each training center is responsible for verifying that candidates meet the requirements, which in practice has tended to focus mostly on verifying documents and crossing-checking information to confirm that candidates do not have criminal convictions or outstanding arrest warrants. Training centers do not conduct background investigations in candidates' communities to learn about their relationships and lifestyles.

The selection process occurs at two levels, one for vacancies and basic agents and another for police officials. The number of open slots depends on the needs of the departments and on the number of new slots, cancelled slots, and dismissals. In the past two years the Zelaya administration has sought to increase the size of the police force, which had 8,887 members in 2007, as a way of confronting crime.[57]

To do so, the length of training has sometimes been reduced from six to three months. The emphasis on quantity over quality is worrisome.

Students in basic training do field exercises in carrying out arrests, search and seizure, crime scene management, searching vehicles, weapons training, and evidence collection (criminalistics), among other skills. In recent years cadets have also received basic training in other topics, including gender-based violence, criminal investigation, human rights, community policing, police ethics, and human relations. At the same time, although it is not explicitly included in the curriculum, students also receive information about legal and disciplinary procedures. The issue of corruption, however, is not addressed as such. Investigative agents and junior officers now take classes in gender equality, police conduct and ethics, and community policing, but human rights principles have not been explicitly incorporated into the training for these two groups.

Although the curriculum is comprehensive and includes field training in common tasks, crisis intervention exercises, and role-playing activities, it makes little use of modern methods that would allow students to be more active learners. Some police interviewed (who requested anonymity) indicated that a conventional, hierarchical, and authoritarian style of teaching prevails at all levels of training, and particularly in basic training. Although community policing and human rights are included in the course of study, police training retains a focus on police deterrence and reaction. Human rights is not integrated as a cross-cutting theme.

Furthermore, although there is an established process for identifying the needs and weaknesses of the police and offering some coordination with the educational system, the adaptation of the curriculum to the country's needs has tended to be reactive. New training courses are quickly developed to respond to rising crime without much analysis or long-term strategy. In general, the training process lacks mechanisms to evaluate how it is being put to use in practice in the field. In fact, formal training ends upon graduation, when cadets disperse to their assignments around the country.

NICARAGUA

The Walter Mendoza Martínez Police Academy is responsible for the selection and training of aspiring members of the National Police. It also organizes and supervises the training of personnel for private security forces and the voluntary police (the latter is an auxiliary body composed of Nicaraguan citizens who want to assist the police on a short-term, volunteer basis). The academy is recognized by the National Council of Universities as an institution of higher education, and it offers a technical degree and a bachelor's degree in police sciences.[58]

An evaluation carried out by the Swedish International Development Cooperation Agency (Sida) in 2005 revealed some weaknesses in the selection of recruits, indicating that sometimes qualified applicants are passed over while others are chosen for different reasons.[59] A local newspaper reported in early 2009 that several people with criminal records had enrolled. According to the PN director, the selection office has been strengthened, and the office now meets with students' families and community members every six months, in addition to the exams and the initial investigation carried out in the candidate's community.[60]

The educational system is made up of three subsystems. The training (formación) subsystem is responsible for training new cadets and those training for promotion from the basic rank to investigator or other, higher ranks. The in-service training (capacitación) subsystem trains active police and administrative personnel as a requirement for further promotion. Finally, the continuing education (preparación continua) subsystem is responsible for providing ongoing training and refresher courses to all police personnel.[61] The system offers mid- and high-ranking officials opportunities to take five-month postgraduate courses and/or earn a five-year bachelor's degree. The academy also offers a three-year higher administration course for inspectors.

The Sida evaluation also identified important limitations to the academy's training efforts and made recommendations for improvement. Interviews conducted by Sida revealed that in general, the academy has helped improve the quality of new police officers.[62] Among its major challenges are the need to include field training in police education and prioritize comprehensive training of police that encompasses all aspects of policing and prepares them for service to the community. Police interviewed by Sida identified the need to integrate police knowledge with humanistic values, culture, and participatory democracy.[63] They also called for greater efforts to implement continuous training, to improve the specialization of active police, and to conduct constant evaluation of the professional conduct of graduates, since they are also asked to carry out other functions.

To address these challenges, the PN has opted to transform the police education system in recent years. The new model, known as "Total School" (Escuela Total), is similar to that implemented in other countries. It seeks to provide comprehensive and continuous training through practical "learning by doing," making use of case studies and simulation exercises. It also seeks greater feedback from police through the participation of various areas within the police in development of the curriculum. WOLA research could not establish which evaluation mechanisms are used to measure the impact of the new model on the country's needs.

The diagnostic recognized efforts to include human rights and community participation as transversal themes in police training. These themes have been integrated into the curriculum taught at the academy and into training given to chiefs, officials, and police, in educational activities, police practice, and learning exercises. Sida's report provides evidence that, compared to other countries, Nicaragua has made important strides toward incorporating human rights concerns and work with the community, but there is still a need for continuous evaluation of how these steps play out in day-to-day policing, particularly given the complaints of police abuse, excessive use of force, and acts of corruption.

Lighting the Way Forward: Police Leadership

The leadership of an institution defines its character and effectiveness. Corruption and nepotism in police promotions and nominations can profoundly affect police morale and weaken the institution, as well as generate power conflicts and cause great losses of knowledge and experience. Because institutional leadership is so important, close attention should be paid to the definition and implementation of merit-based promotion policies that contribute to the professionalization and service ethic of the police.

In El Salvador, reforms to the Police Career Law inhibit lower ranking officers from being promoted to the executive level.

EL SALVADOR

The Police Career Law regulates the enrollment of cadets and promotion of members of the police.[64] Originally members of the PNC were to have the possibility of advancing through the ranks into the upper echelons of the institution after fulfilling certain requirements related to length of service, experience, and training. Nevertheless, reforms to the Police Career Law inhibit lower ranking officers from being promoted to the executive level. To be promoted, officers at the basic level need to apply for re-entry into the force at the executive level, meet all the requirements and pass the required exams. While it is important to maintain rigorous standards for these important positions, these requirements act as obstacles in providing a path for career officers.

The promotions process has also had its share of anomalies and cases of political interference. This has affected retention and the *esprit de corps* of the police. In a 2004 report, some police chiefs were quoted as saying that they had observed a "preference for a certain type of people . . . who came from the old structures" and instances of "reprisals against police who spoke out against their superiors." Others were more direct, affirming that promotions "are driven by a clique that only promotes people who are close to them, blocking opportunities for advancement of those who do not share the point of view of leadership."[65]

The system for promotions has been criticized from within and outside the force. Those interviewed for this report pointed out the use of legislative decrees to facilitate promotions by reducing the requirements established by law. Many of those who benefitted from the decree were members of the old security apparatus demobilized after the peace accords. The use of decrees and lack of clarity regarding the rules of the game have brought into questioning the transparency in the promotions process. In another case, the director promoted several subinspector candidates in spite of the fact that they had failed the requisite tests. More recently, the media reported widespread discontent within the institution in the wake of criminal investigations into several subcomissioners.[66]

Another weakness that affects the Salvadoran police is the practice of frequent and arbitrary transfers and assignments to positions below their rank or inferior to previous posts, both of which negatively affect retention rates. One commissioner interviewed for this study stated that rotations have been used as punishment. "Those who aren't in agreement with the policies of the person currently in charge are sent to places far from where decisions are made. If others are more servile, more prone to praising and adulating the boss, then they are more likely to have a good post."[67] This comment supports what several officers said four years earlier—that "if people are close to the upper echelons of the PNC, it is likely that they will be placed in a position that, in addition to improving their performance evaluation in their personnel files, will allow them to make some money on the side."[68]

GUATEMALA

Unlike the other countries in this study, Guatemala does not have a formal police career law to regulate promotions. This has created an environment of uncertainty within the institution, as personnel fear they will be subject to arbitrary decisions. Some regulations that deal with promotions and the police career path are dispersed throughout several laws, among them the police law, which defines the hierarchy and the time of service needed to ascend in the ranks, and the requirements for doing so.[69]

Promotions are proposed by the director general of the police and authorized by the Interior Ministry. However, such proposals have tended to be irregular and to respond to short-term needs rather than long-term planning that is coordinated between the police and the academy. Promotions are also optional. One expert told WOLA that some police personnel do not seek promotions because the salary raise is small compared to the increase in responsibility and work load.[70]

In recent years the lack of development of the police career system has caused a shortage of mid- and high-ranking officials. In 2007, in an attempt to fill the gap, a group of officials who did not fulfill the proper prerequisites were nominated for promotion.

According to the experts interviewed for this report, the nominations and promotions of the high command have likewise been affected by corruption, political interference, and nepotism.

This caused conflict with certain career officials, who argued that the group in question lacked the experience necessary to work at a higher level. Others argued that the leadership crisis made it necessary to promote them, but that this action should be accompanied by follow-up and in-service training measures to build the capacity of the promoted officials. This anecdote is illustrative of the general trend that filling the higher ranks with qualified staff poses one of the principal challenges for Guatemalan authorities, given the lack of officials with sufficient years of service to assume these posts.

Continual changes in the high command have contributed to institutional instability, which in turn has affected planning capacity and development of the police profession. During the administration of Alfonso Portillo (2000–2004) there were four interior ministers and eight police directors. The administration of Óscar Berger had three interior ministers and three police directors. Under the Álvaro Colom administration, following the tragic death of Interior Minister Vinicio Gómez, there have been two interior ministers and three police chiefs to date.

According to the experts interviewed for this report, the nominations and promotions of the high command have likewise been affected by corruption, political interference, and nepotism. In 2002, for example, the Portillo administration modified the Police Law to permit a noncareer police officer to become police director general; this was later used by then–interior minister Carlos Vielmann to name Edwin Sperissen as director, breaking the hierarchical structure. For his part, Sperissen, backed by a government decree, promoted the installation of various military officers, some of whom went on to occupy important posts in the Inspector General's Office. Raquel Zelaya, director of the Research and Social Studies Association (Asociación de Investigación y Estudios Sociales, ASIES), pointed out that "one of the major problems with issuing special laws that don't require a police career is that we are, unfortunately, reaping what we have sown."[71]

In September 2008, the Human Rights Ombudsman's Office began an investigation after receiving several complaints about the exchange of promotions for bribes, the existence of phantom positions, and payments for obtaining a lucrative post. One of the most notorious cases concerns 155 agents promoted between 2003 and 2004, some of whom paid up to US$10,000.[72] More recently, the former deputy director of personnel of the PNC was charged with the supposed sale of positions and transfers to key posts, allegedly receiving US$2,500 for placing people in posts on the border with Mexico.[73]

In 2007, as part of the reform processes initiated by the then interior minister, Adela Camacho de Torrebiarte, a commission was formed to study the police career path. Comprising members of the Interior Ministry, the police, civil society, and international aid agencies, the commission has presented three proposals to date. These have been incorporated into an initiative that is expected to serve as a foundation for establishing a formal police career law.

HONDURAS

With the entry into force of the new Police Organic Law at the end of 2008, the police career path was officially established in Honduras.[74] Those interviewed agreed that the promotion processes have functioned relatively well. One of the main weaknesses is the subjectivity of the evaluation process, which benefits some police over others regardless of their professional conduct. Although the evaluation is based on a system of merits and demerits, these are defined by each director, prompting fears of favoritism.

In Honduras, changes in administration have generally meant changes in the police structure, particularly in the Preventive Police, which is the largest and has the most resources. Some of those interviewed observed the tendency for directors receiving promotions to come from families belonging to the ruling party. Political interference in police nominations can profoundly affect police morale and generate conflicts of interest. For example, during the administration of President Carlos Roberto Flores, the then security minister nominated two commissioners as directors of the Division of Special Investigative Services of the National Police (Dirección

de Servicios Especiales de Investigación, DGSEI) and the General Directorate of Criminal Investigation (Dirección General de Investigación Criminal, DGCI). The decision affected police of higher rank who found themselves having to obey orders from officials with a decade less professional experience, and in the long term it cost them budgetary and staffing support.

NICARAGUA

The Police Law regulates the police career and promotions processes in Nicaragua.[75] In general, the National Police has a relatively well-respected promotions process. There have been, however, some troubling cases of political manipulation that have created friction within the institution. Among the most noted is the struggle over the selection of the police director during the last year of the administration of President Arnoldo Alemán (1997–2002). The internal National Police Council supported the nomination of Eduardo Cuadra, someone who had come up through the ranks. Contrary to this recommendation, Alemán opted to promote Edwin Cordero, who immediately sent Cuadra and several of his allies into retirement. Cuadra had led the "narco-jet" investigation, in which he uncovered ties between Alemán and a jet stolen in Florida and used to traffic cocaine.[76]

Analysts report that in the last two years the institutional integrity of the police has suffered serious setbacks that are rooted in the apparent attempt by President Daniel Ortega to exert political control over the National Police.[77] In 2008, by means of a presidential accord, Ortega ordered the dismissal of five police officials. These were not the same officials recommended for dismissal by police director Aminta

First Commissioner Aminta Granera, Director of the National Police of Nicaragua (PN), salutes alongside Nicaraguan President Daniel Ortega. Over the last two years, the institutional integrity of the PN has come under attack from apparent attempts by Ortega to exert political control over the force.

PHOTO CREDIT: AP PHOTO/ESTÉBAN FÉLIX

Granera; rather, they were officials who were widely recognized for their professional service and who had not yet reached the top of their career ladders.[78] Ortega presumably sought their abrupt departure because they did not have his trust.[79] This and other presidential actions weakening the police have caused a serious crisis between the executive and the National Police, threatening the stability and professionalization of the institution.

Another looming challenge is the generational change in the leadership of the National Police. Many of the founders of the force are due to retire in the next few years, in accordance with caps stipulated in the police career law. For many observers, the leadership transition poses a particularly daunting challenge to the Nicaraguan police and will have an overwhelming impact on the future path of the institution.[80]

Policing The Police: Internal Control Mechanisms

Internal disciplinary and oversight systems are a key element in preventing a resurgence of abuse by police

in the region. They are an important demonstration of the commitment to professional conduct and respect for the law on the part of police and political authorities. Experts agree that the most effective form of control is likely to be that exercised by police institutions over their own members. Internal controls can offer better information about reported offenses and a more extensive investigation of them, with the possibility of activating formal and informal mechanisms to halt any dangerous conduct.[81] Despite efforts to create and strengthen internal control mechanisms, serious flaws in each country's oversight system came to light during the interviews conducted in preparation for this study.

EL SALVADOR

The first effort to create an internal control system within the recently established PNC comprised a Disciplinary Investigative Unit (Unidad Investigativa Disciplinaria, UID), a Disciplinary Tribunal (Tribunal Disciplinario), and a Control Unit (Unidad de Control, UC). All three bodies were under the authority of the director general of the police and were responsible for reviewing the use of resources and compliance with institutional codes, procedures, and orders.[82] The system as a whole was overseen by an external Inspector General's Office (Inspectoría General, IG), under the authority of the vice minister of public security. The internal control system did not begin to function until a year and a half after the deployment of the new police. Once up and running, it suffered from numerous weaknesses—a lack of resources, ambiguities in the police law, and lack of coordination, among others—that were reflected in its deplorable performance.

The system's inability to prevent or resolve serious misconduct within the police was particularly evident in mid-2000, when several such episodes became public. In response, the government carried out a massive purge under the authority of Presidential Decree 101, which invested police authorities with extraordinary powers to dismiss police on the basis of suspicion.[83] According to the Inspector General's Office, between August and December 2000 a total of 1,568 members, or about 10 percent of the force, were fired, including 20 subcommissioners and subinspectors. Although the purge permitted the rapid removal of many problematic officials, it was severely criticized for having denied due process and

for violating a series of constitutional guarantees. Furthermore, due to the emergency, people were dismissed for minor administrative faults or in order to meet a quota for dismissals. The purge also had negative consequences for the PNC's institutional soundness, mainly with respect to professional stability and quality.[84]

In 2001 the Legislative Assembly approved a new PNC Organic Law that formalized the ability to purge the police by means of removal, with or without compensation, as provided by Decree 101.[85] The law also placed the Inspector General's Office under the umbrella of the PNC Director General, a move that was harshly criticized for undermining the IG's independence and reach. Likewise, the law permitted a PNC official to be named IG director, risking the placement of a submissive or tolerant official at the helm of this office. In 2007 a new Disciplinary Law was approved in order to establish clear norms to overcome many of the weaknesses of the previous system that were leading to cases being overturned by the courts.[86] Unlike its predecessor, the new law allows disciplinary actions to be initiated by the system for complaints filed by the Ombudsman's Office or Public Prosecutor's Office.

Under the new model, the internal control system now has two oversight bodies: the Internal Auditing Unit (Unidad de Auditoría Interna), responsible for ensuring compliance with the internal legal framework, and the Inspector General's Office, "responsible for oversight and control of the actions of the operational services of the police."[87] The IG itself comprises four units: Internal Affairs, Disciplinary Investigations, Control, and Human Rights. Disciplinary tribunals are responsible for issuing sanctions.[88]

The new reforms resulted in greater resources and budget for the IG. However, the current IG has only 35 staff located around the country (90 if administrative staff are included).[89] Staffing levels cannot be increased because, according to one legislator, there are about 60 frozen positions.[90]

In accordance with established processes, each local police chief is empowered to investigate disciplinary infractions and impose sanctions on police who commit minor infractions, always notifying the IG of the initiation and conclusion of each process. Each police chief has a disciplinary section or unit composed of several police who carry out these tasks. This process is developed under supervision of the

IG, which acts to verify the investigations and has the power to archive cases.[91]

The president of the Metropolitan Disciplinary Tribunal, the tribunal located in the capital, indicated that the most frequent infraction is desertion, mainly by police who migrate elsewhere for work, many of them going to the United States. In 2008, for example, according to IG statistics published in the media, the IG received a total of 1,627 complaints, including complaints of improper procedure and arbitrary acts.[92] Overall, 682 police were punished; of these, 148 were removed from their posts, most of them for desertion.[93]

Experts interviewed mentioned that the disciplinary system tends to focus on the conduct of basic agents. While they represent a larger percentage of the force, it could be seen as discrimination against this sector of the police. Perhaps more worrisome is the lack of investigation of serious human rights violations allegedly perpetrated by police officials which has raised concerns about the autonomy and reach of the IG.

IG staff interviewed for this study argued that although one could implement measures to improve the process and make it more agile, the system functions well in general. However, the Human Rights Ombudsman's Office (Procuraduría para la Defensa de los Derechos Humanos, PDDH) argues that the bodies that make up the internal (and external) control mechanisms of the police "have been highly deficient, favoring impunity of those responsible for serious violations."[94] For that reason, the IG's function has been reduced to "receiving complaints, distributing them to the competent disciplinary sections, infrequently and insufficiently monitoring the progress of investigations," and accepting their conclusions despite inherent weaknesses and irregularities in the process.[95] The disciplinary sections, according to the PDDH, lack resources, independence, and impartiality, and their investigative methods are marked by serious deficiencies, failing to respect due process guarantees of either the victims or the members of the police. This critique was shared by a FESPAD analyst, who described the disciplinary system as "highly inefficient." The training courses that FESPAD offers to basic officers continue turning up testimonies of weak control mechanisms.[96]

The ombudsman's statements are based on various investigations it conducted that revealed improper

In this cartoon from a Salvadoran artist, a man calls the police after being assaulted by two men, only to find that the two officers who arrive at the scene bear a disturbing resemblance to his attackers.

activities within the police force. Between 2001 and 2006, the PNC was the state agency most frequently denounced for alleged human rights violations, accounting for, on average, 40 percent or one-third of all complaints received.[97] The most frequent complaints cited violations of physical integrity, security, and personal liberty. In its 2006 report, the PDDH also expressed concern over continuing reports of torture and extrajudicial executions allegedly committed by PNC members. According to the PDDH, "violations of the rights to integrity and personal liberty, the torture of detainees, and the persistence of degrading and inhuman detention conditions are some of the most negative examples of ongoing abuse in the course of police action."[98]

GUATEMALA

When the new National Civilian Police was established in Guatemala, it created a disciplinary system based closely on the Spanish model, as the Spanish Civil Guard was the main source of international aid to the Guatemalan police. The system was notorious for permitting abuse of police by their superiors, and it completely failed to offer a viable channel for citizens to denounce abuses suffered at the hands of the police.[99]

In 2003, with the help of MINUGUA, international aid agencies, and civil society organizations, the government made changes to the disciplinary regulations that gave the PNC greater authority to

Various reports from the Inter-American Commission on Human Rights, the Human Rights Ombudsman and the UN continue to reveal the involvement of Guatemalan police officers from all ranks in human rights abuses, corruption and organized criminal activities.

investigate and remove police implicated in serious abuse. Two years later, by means of a governmental accord, the Inspector General's Office (Inspectoría General, IG) was established.

Currently the IG is the principal agent of disciplinary control, under the General Directorate of the police and under the command of high-ranking officials. Making up the IG are the Disciplinary Regime (Régimen Disciplinario), the Human Rights Office (Oficina de Derechos Humanos), and the Office of Professional Responsibility (Oficina de Responsabilidad Profesional, ORP). The ORP has the prerogative to initiate investigations—of its own accord, upon receiving complaints, or upon the request of an authority—into actions committed by police that may warrant criminal prosecution. The system also includes Disciplinary Tribunals, although these depend directly on the director general. The tribunals are the entities responsible for reviewing, resolving, and punishing very serious infractions committed by police personnel in their respective regions.

Despite this formally established system of internal control, the PNC's disciplinary problems are significant, and it has not been able to confront the influence of organized crime and high levels of corruption and rampant human rights abuses. These problems are in large part the result of the number of members of the old security forces who have been recycled into the PNC, as well as the lack of a thorough review of agents linked to criminal structures and human rights violations.[100]

Complaints and reports received by MINUGUA indicate the involvement of police in acts of corruption, drug trafficking, organized crime, and extrajudicial executions. In its 2003 report, MINUGUA noted that "a consistent pattern of neglect since 1998 has transformed the institution responsible for guaranteeing public security into the principal source of human rights violations in the country." PNC data reveals that as of July 2003, for example, there were approximately 1,600 complaints of very serious infractions and criminal acts by the

police, the majority involving corruption, robbery, extortion, fraud, extrajudicial executions, and torture. Investigations were not opened for 33 percent of those complaints, and investigations were inconclusive in 55 percent of total cases. Of most concern, the allegations implicated approximately 2,300 police, or 12 percent of agents at the time.[101]

Various reports from the Inter-American Commission on Human Rights, the Human Rights Ombudsman and the UN continue to reveal the involvement of police officers from all ranks in human rights abuses, corruption and organized criminal activities. In his 2007 report, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions noted that 'there is strong evidence that some acts of social cleansing — executions of gang members, criminal suspects, and other "undesirables" — are committed by police personnel."[102] The report goes on to mention that these acts are not limited to a few rogue officers, and that while it was not an officially-sanctioned policy, it did present an issue of institutional responsibility.[103] At the same time, there are numerous complaints of other rights violations, including mistreatment and torture of women in police precincts and penitentiaries and police abuse of people arrested for minor crimes. Although the official statistics on such incidents are not reliable, it appears that the situation is much more critical in Guatemala than in other countries of the isthmus.

The inability to monitor and control the police is due in large part to the weakness of internal control mechanisms and the lack of real support from police leadership. Despite changes in 2003, the Office of Professional Responsibility has lacked the resources and will to combat police impunity. In 2004 the ORP saw its staff reduced from 133 to 83 members. In the first semester of 2006, the ORP had a staff of 78 (45 investigators and 33 administrative staff.[104]Various reports by the U.S. State Department revealed that PNC authorities often opt to transfer police rather than subject them to judicial processes. Reports also show that cases of criminal acts sent to the

Public Ministry for further investigation and criminal prosecution rarely reach the courts.

In February 2007, three Salvadoran legislators and their driver were brutally murdered at the hands of members of the Guatemalan police.[105] Four officers implicated were themselves killed in a maximum security prison three days after their detention. This case illustrates perhaps better than any other the undeniable participation of police members in criminal structures in the service of organized crime, corruption networks, and drug-related activity. The events unleashed a deep security crisis that came to a head with a no-confidence vote by the Congress against the interior minister; he subsequently resigned, along with the directors of the police and prison systems. The complexity of the case drew wide attention to the urgent need to purge and strengthen the police.

The subsequent arrival of Adela Camacho de Torrebiarte to head the Interior Ministry for the remaining 10 months of the administration implied a significant effort to strengthen internal control mechanisms and purge the police. Torrebiarte strengthened the ORP, giving it greater autonomy to investigate the high command and police agents suspected of crimes. She also provided greater support to the Inspector General's Office, with additional personnel (120 agents), equipment, and logistics. Efforts to purge the institution were aided by a resolution of the Constitutional Court that allows for the firing of police, without the involvement of a judge, if there is evidence of involvement in crimes or sufficient suspicion of involvement in organized crime groups. In the past, police officers made use of a labor law provision that made it virtually impossible for the state to fire public servants, even with cause. Even under this new resolution, agents who are fire retain the right to claim severance pay.

Investigators from Guatemala's Public Ministry study the charred chassis of the vehicle used by three Salvadoran legislators who, along with their driver, were murdered by members of the Guatemalan police in February 2007.

These efforts continued under the first two interior ministers of the Colom administration. As a result, by mid-2008 approximately 3,000 agents had been dismissed. At the same time, there were arrests of officers suspected of involvement in kidnappings, extortion, freight robbery, murders, and other criminal acts. Some of these individuals were prominent and/or involved in highly publicized cases. These actions, however, have proved insufficient, given that most of the time PNC officers involved in criminal acts are only fired and are not subjected to criminal prosecution. Achieving a professional, trustworthy institution that provides security requires not only a purge of bad elements and the strengthening of internal control mechanisms, but also the adoption of measures to dismantle problematic structures within the institution and prevent their resurgence.

The fact that these laudable efforts have continued through changes in leadership is unprecedented and clearly demonstrates that advances can be made when there is sufficient political will. However, as some experts pointed out, in order to make a lasting impact these processes should be adopted as state policies. In July 2008 then–Interior Minister Francisco Jiménez proposed reforms to the internal police regulations. The reforms would expedite administrative

As in El Salvador and Guatemala, the National Police is the most frequently denounced government institution.

procedures, augment the profile of the ORP, and elevate the IG to the level of subdirectorate, among other important provisions. At the time of this report's publication, the presidential accord restructuring the PNC had finally been approved in April 2009 but the disciplinary reforms were still pending approval.

HONDURAS

The Police Organic Law of 1998 created an Internal Affairs Unit (Unidad de Asuntos Internos, UAI) as the main internal control mechanism. The UAI investigates crimes allegedly committed by members of the police, but application of sanctions remains the responsibility of the tribunals. The UAI has been characterized since its inception as a weak entity, with insufficient resources and lacking clear policies and procedures for effective action. Aside from the UAI, there are other disciplinary mechanisms such as the Inspector General's Office (Inspectoría General, IG), responsible for evaluating police performance and investigating administrative faults.

Corruption within the police and the participation of officers in crimes and human rights abuse is of major concern, according to those interviewed. This is the case even though the police have gone through two significant purges over the past 10 years. The first, at the beginning of the police reform process, ended abruptly with the arrival of the first head of the Security Ministry, Elizabeth Chuiz Sierra, in 1998; she was opposed to dismissing police for disciplinary reasons and in some cases intervened in investigations.[106] As a result, units of the former security forces that were implicated in human rights abuses were left intact, and many of their members today occupy the highest echelons of police power, in charge of directorates and important regions of the country.[107] The other process occurred in 2000 under Security Minister Gautama Fonseca. Armed with a legislative decree giving him the power to conduct a selective purge of the police without trial, Fonseca removed hundreds of police officers. It is estimated that 150 agents were dismissed from the criminal investigation directorate alone.[108] However, four years later the Supreme Court declared the purge unconstitutional for having violated legally

recognized labor rights, and many officers returned to the ranks of the police, with reimbursement for their lost wages. The situation highlights the serious obstacles to any effort to remove the "bad apples" from the police ranks due to the lack of coherent standards between criminal and civil proceedings.

The weakness of the UAI is partly the result of insufficient resources. It had, until recently, a staff of 19 and only one office, in Tegucigalpa, inaccessible to a large part of the population. In addition, it depends financially and administratively on the Security Secretariat (Secretaría de Seguridad), which requires the UAI to jump through various bureaucratic hoops to pay for expenses and even basic supplies like pencils and paper. With such limited staff and resources, and without defined time frames within which investigations must be completed, the UAI has been extremely slow in investigating the approximately 200 complaints it receives every year. According to the head of the UAI, there are currently 800 cases that have not been investigated.[109] Because of this unfortunate situation, the UAI does not initiate procedures or investigations. Instead, an officer's superior, generally a chief of division or head of unit, has the prerogative to submit cases to the UAI, and many of the cases that are sent have already been investigated by the directorates themselves.

Furthermore, the UAI's work has been seriously limited by its lack of independence and the lack of support from the authorities. The most illustrative case is that of the former head of Internal Affairs, María Luisa Borjas. In 2002 Borjas denounced the involvement of members of the Security Ministry in the extrajudicial executions of at least 20 youths. Not longer after filing the complaint, Borjas herself began receiving death threats over the phone, her staff was reduced, and she began to see signs that her mail was being read by unknown individuals. Two months later she was removed from her post for having "violated the principle of secrecy in confidential police affairs," and after 25 years of police service, she was dishonorably discharged for "insubordination."[110]

The disciplinary system has other problems, mainly owing to the multiplicity of entities involved

and the difficulties associated with managing cases and statistics. Experts describe a lack of clarity and coordination among the various disciplinary actors that has led to duplication of functions. For example, the same case might be seen by the heads of personnel, operations, supervision, the Inspector General's Office, and/or Internal Affairs. At some lower and middle ranks, disciplinary sanctions are applied without evidentiary procedures or the right to defense.

As in El Salvador and Guatemala, the National Police is the most frequently denounced government institution. According to the experts interviewed for this report, the most common offenses include failure to obey orders from a superior, abuse of authority, excessive use of force, corruption, carrying out nonpolice work during work hours, misplacing or losing weapons, habitual drunkenness, extortion, and illegal detention.

Police involvement in extrajudicial execution is of grave concern. In 2002, the human rights commissioner publicized a report denouncing the involvement of police officers in organizing and/or tolerating death squads.[111] The Honduras-based Central American Violence Observatory, a project of the U.N. Development Programme (UNDP) and the National Autonomous University of Honduras, documented 3,262 homicides in 2007. Of the 1,473 that had clues as to the perpetrator, state security agents were involved in 52.[112] Equally troubling is the torture of detainees by police authorities. According to a report by the Center for the Treatment and Rehabilitation of Torture Victims (Centro de Prevención, Tratamiento y Rehabilitación de las Víctimas, CPTRT), between November 2003 and November 2005, 75 percent of 208 interviewed detainees had been the victims of unwarranted aggression.[113]

Experts argue that police practice has become more violent with the onset of iron fist policing practices. The logic of strengthening police power without checks, combined with the division of society into "good" and "bad" elements, creates a permissive space for police abuse. Given the enormous weakness of the Internal Affairs Unit, it has not been possible to correct these practices.

Various sectors, including civil society organizations and the human rights commissioner, conducted an advocacy campaign to strengthen the Internal Affairs Unit and make it truly independent. The new police law, which went into effect in November 2008, elevated the UAI to the directorate level, with technical, functional, and budgetary independence. Unlike other directorates, the new National Directorate of Internal Affairs (Dirección Nacional de Asuntos Internos, DNAI) may be led by a civilian with a background in law or criminal justice (or a related field), and the unit's members are protected from being transferred to other police bodies. The impact of these measures will be seen over time.

NICARAGUA

The National Police of Nicaragua has an Inspector General's Office that is under the director general and is responsible for overseeing the behavior of the police. It also has an Internal Affairs Unit whose mission is to investigate complaints against police filed by authorities or private citizens or from within the unit. Members of the police accused of crimes are subject to law and are referred to the relevant criminal courts. Administrative faults are handled by the internal disciplinary regime.

Continuing a trend in the region, reports by the Human Rights Ombudsman's Office and civil society organizations reveal that the PN is the state institution most frequently denounced for human rights violations. The Nicaraguan Human Rights Center (Centro Nicaragüense de Derechos Humanos, CENIDH), a nongovernmental organization, documented cases in which the police used excessive force, above all at the moment of detention, and occasionally during investigation. According to a 2008 report, 1,835 complaints of police abuse and misconduct were investigated by the Internal Affairs Division in 2007; most of the cases were for violation of the rights to personal liberty, physical integrity, or access to justice, for unlawful use of firearms, or for acts of corruption.[114] That same year, CENIDH received 1,975 complaints of which 501 were allegedly for human rights abuses perpetrated by members of the PN. CENIDH's investigations revealed that in 179 of the 360 cases investigated police officers had committed human rights abuses.[115]

From the beginning of the 2000s, the PN was severely criticized for various cases of corruption and for the lack of institutional response to them, which damaged the institution's image. The most notable cases include public declarations in 2003 by First Commissioner Edwin Cordero about alleged police corruption in the Atlantic Coast region, which entailed

First Commissioner Edwin Cordero, former Director of the National Police of Nicaragua, admitted publicly that bribes and corruption occurred within his institution.

under the previous leadership."[116] According to CENIDH, even though abuse cases have continued, there has been a decisive and remarkable change in the conduct of the police. Granera's actions raised citizens' trust in the PN: a 2007 poll found that more than 54 percent approved of her anti-corruption actions, while 79 percent had a positive image of Granera as police chief.[117]

In late 2007 and early 2008 new cases of corruption emerged, including the alleged involvement of police agents in the escape of detained drug traffickers in Bilwi and evidence of extortion and fabrication of evidence

payments in drugs to police officers and informers who carried out successful operations, as well as the brutal murder in 2004 of four police in the Bluefields district that involved a counternarcotics agent.

Following these scandals, in March 2006 the owner of two nightclubs in the capital city was murdered, and the alleged perpetrators had shadowy links to the PN high command. In addition to the suspected involvement of the Managua police chief, Commissioner Carlos Bendaña, First Commissioner Edwin Cordero admitted in public comments that the PN was receiving contributions from some businessmen and that there were bribes and acts of corruption within the institution. The episode, known as the Polanco case, shed light on alleged acts of corruption committed by high-ranking police and seriously harmed the positive image the institution had enjoyed.

In July 2006, the director general of the PN, First Commissioner Aminta Granera, inherited an institution whose prestige and social renown had fallen considerably. As a first step, Granera promised a frontal attack against corruption. This direct attack represented for some analysts "a sharp 180 degree turn from the lack of institutional response that prevailed

by the head of the Managua anti-drug police. The PN, however, responded and sought to implement preventive measures. Reports show that the PN is working on a new internal regulatory system. Also in 2008, a Supervision and Control Division (División de Supervisión y Control) was created at the same level as the Internal Affairs Division and subordinate to the Inspector General's Office.[118] The division is responsible for attending all important events carried out by the main specialized agencies of the police in order to implement measures to prevent abuse.[119]

These actions have been important, but some experts point out that the lack of public information and transparency in investigations creates an air of mystery and feeds suspicion that police are complicit in abuses. This skepticism is largely due to the fact that high-ranking police officials tend to take only administrative action against officers accused of corruption, keeping many of the cases from reaching the courts.[120] This concern is shared by CENIDH, which identified as one of the system's weaknesses its tendency to dishonorably discharge lower-ranking agents accused of corruption, while those of higher rank are sent to retirement with full benefits.

PHOTO CREDIT: AP PHOTO/ESTEBAN FELIX

One of the most innovative elements of the reforms of the 1990s was the creation in three countries of high-level public security councils.

Who Watches the Watchers?
External Control Mechanisms

External accountability mechanisms should, in theory, monitor and influence police actions. Various experts agree that multiple supervision and control mechanisms are required for adequate police accountability.[121] Several external actors and entities in each country play a formal role in monitoring police bodies and activities, among them the legislative branch, the courts, the prosecutor's offices, public defenders, and civilian complaint review boards.

Review boards, in their various forms, are an increasingly frequent supervision mechanism and one that should in theory facilitate citizen participation in police accountability. In the United States and Canada, for example, review boards are generally responsible only for examining citizen complaints against the police. In Central America, one of the most innovative elements of the reforms of the 1990s was the creation in three countries of high-level public security councils that include active civil society participation in the oversight of public security and debates about its direction. Although they have not been entirely effective in practice, they are useful mechanisms for exercising transparency and accountability in public security.

EL SALVADOR

In 1996, based on the advice of the U.N. mission and in response to the undue interference of the then minister of security, the National Public Security Council (Consejo Nacional de Seguridad Pública, CNSP) was established "as a counterweight to the influence of the Public Security minister."[122] The CNSP was designed to be a pluralistic body composed of five distinguished members designated by the president. Its task was to analyze the public security situation and develop policies and strategies for the medium to long term, including legal reforms intended to improve the security situation and the institutions responsible for providing it.[123]

However, the measures proposed by the new council (many of which were backed by international donors) were never seriously considered. The minister of security, who should have presided over the CNSP,

demonstrated great political skill in "neutralizing the council, refusing to put in place its proposed corrective measures."[124] With the change of administration in 1999 and the substitution of a new organic police law, there were changes in the CNSP's functions. Although it formally retained its original powers, given the lack of preventive policies in the country, it was also given the responsibility of implementing crime prevention and citizen participation projects. In practice, as a public security advisory body, the council had been excluded from major decision making to such an extent that it has had serious disagreements with governmental actions. Such was the case during implementation of the "Iron Fist" Plan and the Anti-Gang Law. According to FESPAD, the council's then-president announced that he was in total disagreement with the law because it would result in arbitrary actions and because it contradicted his work plan for rehabilitating gang members.[125] In reality, the council's work has been limited to violence prevention, and not advocacy on the policies and functioning of public security institutions.

The new organic law of 2001 also provided for the creation of a Police Ethics Council (Consejo de Ética Policial). Headed by the public security minister, this council is composed of four members named by the president, representing business, social, and academic sectors. It is empowered to verify and monitor the execution of public security plans and policies, supervise the use of resources, and oversee police conduct and anti-crime activities. The council is not empowered to handle specific cases except when they involve human rights violations, financial or administrative irregularities, or "events of great relevance," or when the minister requires it. In these instances, the council can ask internal control bodies to carry out the necessary procedures.[126]

In spite of the positive aspects of its mandate as an external control mechanism, the Police Ethics Council did not begin in earnest until 2004, three years after its establishment in the law. According to an adviser to the vice minister of public security, one of the most important achievements of the council is the institutionalization of police accountability

THE OVERSIGHT ROLE OF THE HUMAN RIGHTS OMBUDSMAN

Among the most important formal external control bodies in each country is the Human Rights Ombudsman's Office. Under the aegis of different agencies, these offices have played an important role in protecting human rights, receiving and investigating citizen complaints against police, and providing follow-up to public security problems through reports and denunciations.

The role and profile of ombudsman's offices depend to a great degree on their leadership. In El Salvador, for example, the second ombudswoman showed great commitment and political will to defend human rights. However, the political maneuvering around the nomination of her successor caused an institutional crisis that lasted from her departure in 1998 until 2001.[i] In Honduras, interviews indicated that on security issues, the National Human Rights Commissioner (Comisionado Nacional de los Derechos Humanos, CONADEH) has both criticized and proposed policies, presenting reports, denouncing irregularities and weaknesses, and proposing lines of action for the formation of security policies. The limited

resources of this office have affected its capacity to follow up on its own recommendations, however. In Nicaragua, the Ombudsman's Office has recently been criticized for joining a polemical government campaign questioning the role of civil society in the defense of human rights.[ii]

In spite of their energetic work, the impact of ombudsmen in several countries has been limited by the lack of support from other state institutions. This is the case in El Salvador, where the lack of government backing has led to open attacks and smear campaigns against the ombudsman, as well as anonymous threats and acts of intimidation against the director and staff of the office. The ombudsman's limited impact in the fight against impunity "has to do not only with what the ombudsman is capable of doing, but with the complicit role played by the internal control bodies of the police and the attorney general, to such an extent that the PDDH is left all alone with its recommendations."[iii] This situation is exacerbated by the fact that in some countries, such as Guatemala, the ombudsman's recommendations are not binding.

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i   Under the leadership of Victoria de Avilés (1995–98), the PDDH gained a higher profile and was able to increase public confidence in the work of the ombudsman's office. While it faced many obstacles, the PDDH became the main venue for citizens to present complaints against officials. The choice of her successor, Eduardo Peñate, was apparently based on a desire to reduce the profile of the office. Proposals for candidates following Peñate's departure in 2000 were even more politicized, a situation that led to a delay in the election process until 2001, when more qualified candidates were put forth.

ii Centro Nicaragüense de Derechos Humanos (CENIDH), Alianza de Centros de Mujeres, Red de Mujeres Contra la Violencia, Federación Coordinadora Nicaragüense de Organismos No Gubernamentales que trabaja con la Niñez y la Adolescencia (CODENI) y la Organización Mundial Contra la Tortura (OMCT), *Violaciones de los Derechos Humanos en Nicaragua*, p. 29**.**

iii David Morales, Fundación de Estudios para la Aplicación del Derecho (FESPAD), interview by Edgardo Amaya Cóbar, 2008.

to an independent and proactive external actor.[127] The council has had some important achievements including the development of performance indicators. It should be noted, however, that the council's periodic reports on its decisions, recommendations, and verification of compliance by authorities are for the exclusive use of the president and are not made public.[128]

GUATEMALA

The Guatemalan peace accords included the creation of a Security Advisory Council (Consejo Asesor de Seguridad, CAS) to advise the president on security matters. The CAS, however, was not established until 2004, eight years after the signing of the accords. Composed of seven members and three substitutes from civil society organizations, the council is

supposed to oversee security institutions, develop proposals and strategies, and offer assistance to the security cabinet. Although its establishment was welcome, its achievements during its first term were minimal. During the first four years of its existence, the council proposed reforms for the police and Ministry of the Interior, plans to combat the violence occurring in the country, and creation of the Framework Law for the National Security System. However, the lack of necessary support from the administration of Óscar Berger meant that these proposals never moved forward. According to the Myrna Mack Foundation, a justice advocacy organization in Guatemala, "The CAS has had no real impact in governmental decisions in security matters. It has made proposals, but they are not taken into account by the government, which does not have the political will to promote them."[129]

The usefulness of CONASIN ultimately depends on whether or not the authorities should take advantage of the council's potential role.

The council's work is also limited by a lack of funding, infrastructure, and staff. In fact, it was not assigned operational funding until 2007.[130] So in spite of being an important oversight and transparency agency with broad civil society participation, its work has not had the desired impact.

HONDURAS

The police reform in Honduras created one of the most innovative external control bodies, the National Council for Internal Security (Consejo Nacional para la Seguridad Interior, CONASIN). Headed by the secretary of security, CONASIN is composed of the secretaries of justice and the interior, the attorney general, the human rights commissioner, a representative of the Supreme Court, and various civil society members, including representatives from the mayor's association and business, labor, campesino, women's, and human rights groups. Their powers include developing security policies; evaluating police work; presenting the list of candidates for police chief; advising the president and the secretary of security; revising police regulations, manuals, and budgets; and monitoring complaints against police.

CONASIN has been one of the most contentious aspects of the 1998 Police Law. With its creation, the

THE LEGISLATURE AS AN ACCOUNTABILITY MECHANISM

Legislative assemblies and congresses have the capacity to control and supervise the police, although those interviewed suggest that their role in this area has been generally weak. Among the tools that some legislative bodies can use are the formal questioning of ministers and votes of no confidence or recommendations for dismissal. In Guatemala, for example, the ministers of interior and PNC chiefs have perhaps been the officials most often asked to testify before Congress. This reflects the fact that crime is a central issue used to attack the government "for political ends," according to one civil society representative.[i]

Legislative bodies have committees that in theory handle issues related to public security. However, in all of the countries in this study, these committees lack a team of permanent advisers, and some have had very little influence on public security debates. As one member of El Salvador's Defense and Public Security Committee remarked, "It's unfortunate; it's as if we were in a country with different levels of violence. One would think that this would be the committee that worked the most, but it's the committee that meets the least."[ii] In one analyst's opinion,

Salvadoran legislative committees have become involved in "legislative and policy reform proposals, but with very little impact and generally limited to party positioning, without achieving important legislative consensus."[iii]

Legislative approval of the annual budget should be an important mechanism for transparency and defining public security policies and appropriation of financial resources. However, in Honduras, the budget contains only general categories, which prevents disaggregation of confidential budget lines, costs of joint police-military operations, or even the budget for internal affairs or CONASIN. In Guatemala, Congress has demonstrated little concern for a detailed presentation of the Interior Ministry's budget.[iv] Guatemalan law allows great discretion in the transfer of funds between budget lines, which contributes to the diversion of policies and leads to corruption. Another worrisome issue is the transfer of police funds to the Defense Ministry to cover its costs of joint patrols with the police, which, as mentioned earlier, exceeded US$1.2 million per month in 2008.

i   Ana María de Klein, representative of Madres Angustiadas, interview by Verónica Godoy, 2008.
ii   Oscar Kattan, chair of the Committee on Public Security and member of the Partido Cambio Democrático, interview by Edgardo Amaya Cóbar, 2008.
iii David Morales, Fundación de Estudios para la Aplicación del Derecho (FESPAD), interview by Edgardo Amaya Cóbar, 2008.
iv   Ana María de Klein, representative of Madres Angustiadas, interview by Verónica Godoy, 2008.

Legislative Assembly sought to assuage concerns of the Citizens' Forum and others about the potential politicization of the police and the need to ensure accountability. In practice, CONASIN is viewed by the authorities as one more hindrance to their work, rather than as a tool for strengthening the management of public security and making it more transparent. Throughout its history, neither the Security Secretariat nor the executive has demonstrated the political will to ensure respect for and compliance with the council's functions. Several security secretaries have resisted implementing suggestions developed by CONASIN, which in turn has significantly limited the council's capacities. The authorities have also tended to exclude CONASIN from participating as a security policy adviser or in police oversight. The few initiatives the council has managed to carry out, among them reports on various security issues, investigations concerning high-profile cases, and proposals and recommendations for public security policies, have only rarely translated into concrete actions.

CONASIN's limitations are also due to its own weaknesses. The lack of a holistic vision shared by civil society and the absence of a team of technical experts to consolidate its proposals and support its deliberations are all factors that have contributed to CONASIN's failure to become institutionalized.[131]

Given the various debates around CONASIN's powers, the new National Police Organic Law limited its role. The law nullifies the council's previous mandate to formulate and evaluate security strategies and redefines its powers as promotion of public policy, supervision of the nominations of national police chiefs (though its decisions are not binding), coordination of civil society activities related to public security, and receiving periodic reports from the National Directorate of Internal Affairs (Dirección Nacional de Asuntos Internos). For some experts, these legal changes offer more realistic and clearly defined functions for an external control body, appropriate in light of the country's current situation. However, the usefulness of CONASIN ultimately depends on whether or not the authorities should take advantage of the council's potential role.

NICARAGUA

Unlike its neighbors to the north, Nicaragua does not have an external control entity or council in which civil society participates actively. In the ministerial realm,

there is an internal affairs area that can review police decisions, but according to a FLACSO report, there is no information available about its work.[132]

FROM CLUES TO CASES: CRIMINAL INVESTIGATION

Criminal investigation is a crucial part of police work because it largely determines whether or not a crime can be duly prosecuted. Since the initial reform processes, various efforts have been made to create, train, and equip police investigative units. Nevertheless, these units continue to have serious weaknesses that are reflected in high levels of impunity. In general, they have not managed to inculcate good investigative practices, and agents continue working under the "detain in order to investigate" logic, rather than investigating first in order to make an arrest.

EL SALVADOR

Investigative work currently is carried out by eight divisions within the Subdirectorate of Investigations in the PNC.[133] Other investigate units include the Antinarcotics Division (División Antinarcóticos, DAN), the Elite Anti Organized Crime Division (División Elite Contra el Crimen Organizado, DECO), and the temporary and recently established Anti-extorsion Squad, which, unlike the other units, are all under the Deputy Chief of police. Since the transfer from an inquisitorial to an oral, adversarial justice system in 1998, the subdirectorate's investigative bodies have been in charge of investigating crimes, although they must closely coordinate with the Attorney General's Office, which is responsible for directing and supervising all investigations.[134]

As in other countries, the PNC's investigative capacity has been seriously questioned because of the low number of crimes that reach the courts and the even lower number that result in conviction. According to the National Commission for Security and Social Peace (Comisión Nacional para la Seguridad Ciudadana y la Paz Social), studies show that in any given year, more than 60 percent of crimes never reach the judicial system.[135] "An analysis of trial data reveals that serious crimes are a very low percentage of cases handled by the system."[136] This situation is worrisome when one considers that, according to the Victimization Survey conducted by the University

One of the main factors limiting the effectiveness of police investigation is the lack of coordination between the police and the attorney general.

Institute of Public Opinion (Instituto Universitario de Opinión Pública, IUDOP) at the Central American University (Universidad Centroamericana, UCA), only 37 percent of victims even bother to report crimes—an indication of widespread lack of faith in the police and other criminal justice institutions.[137]

One of the main factors limiting the effectiveness of police investigation is the lack of coordination between the police and the attorney general. A study by FESPAD revealed a significant standoffishness and lack of coordination between the Attorney General's Office and the PNC, or at best the absence of an established, permanent, and systematic mechanism for communicating and defining common objectives, priorities, and mutual support at all levels.[138] The study noted exceptions in some regions, as well as among special units to fight organized crime and drug trafficking in both institutions; in these cases constant communication and a certain work logic were observed, which contributed to somewhat better results. But these exceptions only point to the need to improve coordination and relations between the two institutions. According to the director of investigations, although the investigation chiefs and prosecutors meet constantly to evaluate advances, these efforts have not translated into major improvements. In fact, a 2007 evaluation reveals that there is still "lack of coordination between the police and prosecutors in crime investigations. . . . In most of the cases analyzed, there is no sign that the prosecutor systematically directed the investigation, nor that the police obeyed the prosecution's instructions."[139]

Deficiencies in criminal investigation are also linked to the training received by investigative agents. The basic training course for those who aspire to be investigators lasts three weeks. Subsequently, there is a second intermediate course and courses for various specializations which agents attend abroad or at the International Law Enforcement Academy in Santa Tecla, El Salvador.[140] It must be noted, however, that in contrast to the practice in some other countries, the PNC has tried to keep investigative personnel in the investigations area throughout their career, which lends itself to a certain degree of specialization.

Although some are rotated to other subdirectorates or among investigative units, there are investigators who have 10 or 12 years of investigative experience.[141]

Nonetheless, a controversial study carried out by UNDP consultants in 2007, which was based on the review of homicide case files in the municipalities of San Salvador, Santa Ana, and San Miguel, revealed major deficiencies in basic investigative techniques. These included flaws in crime scene preservation and fingerprinting, evidence gathering, alteration of crime scenes, and weaknesses in the identification of, search for, and interviewing of witnesses. The report found that "a large percentage of homicide crimes remained unpunished through the lack of will or capacity to investigate them, as there was sufficient evidence of each crime that could have allowed its authors to be discovered and prosecuted."[142]

According to some experts interviewed, the limitations in criminal investigations are due in part to an excessive work load. Although data regarding the average number of cases an investigator had under his or her responsibility at any one time was unavailable, the deputy director of investigations acknowledged that "in general, there are deficits at every level. . . . There is a substantial deficiency with respect to the number of staff assigned to cases." The subdirectorate of investigations currently has a staff of 3,300 working in investigative tasks, about 18 percent of the entire force, or one investigator for every 2,100 inhabitants. According to the deputy director, to achieve the ideal number of investigators the subdirectorate would need to grow by 25 percent.[143] This would require greater resources and budget, along with improvements in selection and training of new agents.

Along these lines, the lack of uniformity in assigning resources and priorities among different units stands out. According to experts, elite or specialized units, such as those dedicated to drug trafficking and kidnapping, have achieved impressive results and a good level of efficiency due to the political backing they enjoy and the investment of substantial resources and aid. These efforts, however, have not extended to units that investigate common crimes affecting most of the population. In

DESCOORDINACIÓN

IMPUNIDAD

FISCALÍA

PCN

The lack of coordination between police investigators and the public ministries in El Salvador, Guatemala, and Honduras undermines the effectiveness of both investigators and prosecutors.

receiving support from the Inter-American Development Bank (IDB) for the creation of an integrated crime database. This database ultimately will be placed online so that each institution can enter its own information.[147]

GUATEMALA

Guatemala's model of criminal investigation is similar to El Salvador's in the sense that the police are responsible for the investigation of crimes under the direction or guidance of the Public Ministry. Until November 2005, investigative tasks belonged to the Criminal Investigation Service (Servicio de Investigación Criminal, SIC) within the police.

the opinion of a former PNC member, in the case of kidnappings "there was good training . . . [and] had they been better utilized, these members could have made the police into a more professional tool."[144] Accordingly, the National Commission for Security and Social Peace recommended extending the improvements achieved in the organized crime and narcotics units to the entire PNC.[145]

Strengthening criminal investigation requires both provision of technical support to the police and a credible, interagency crime database that produces the information that enables investigators to evaluate and improve their services. The PNC, through special funds allocated by the government in 2007-08, has obtained important technological equipment including fingerprint and ballistic systems and other equipment to improve its capacity to carry out criminal investigations. In addition, in 2005, the Interior Ministry and the Attorney General's Office signed an agreement to conduct joint analysis of information. The new system has allowed them to correct homicide data and have more consistent information, although there are still discrepancies among the various sources used to collect the data as well as deficiencies in the information produced by the system.[146] According to the vice minister of public security and justice, the ministry is currently

However, after an administrative and operational restructuring in December 2005, this service was elevated to the level of General Subdirectorate of Criminal Investigation (Subdirección General de Investigación Criminal, SGIC), which "constituted an advance in terms of administrative hierarchy." Within the SGIC were several units: the Criminal Investigation Division (División de Investigación Criminal, DINC) and the Crime Scene Protection Division (División de Protección de la Escena del Crimen, DIPEC). Unfortunately, these organizational changes did not translate into advances in the actual investigation of crimes. A mere 2 percent of cases result in conviction, implying a troubling level of impunity.

Over the years, the PNC has suffered considerable reductions in the number of agents assigned to criminal investigation. MINUGUA reports from 2001 show that the criminal investigation unit then contained 742 agents; that number fell to 637 in June 2003.[149] By September 2008 the DINC was composed of 662 agents, including 262 assigned to administrative functions.[150] This reflects the dearth of attention successive administrations have paid to criminal investigation, which has meant an excessive work load for agents and deplorable national coverage. The DINC has a presence in 15 of Guatemala's 22 departments, with 67 percent of its staff assigned

In many cases staff from the Public Ministry have refused to permit police to enter a crime scene.

to the Department of Guatemala. By mid-2007 the DINC had to close 17 branches because of personnel losses produced by the purging and detention of some of its members. Consequently, justices of the peace or preventive police carry out the first steps of investigations, despite the fact that they do not have appropriate training.

As in El Salvador, the problem is partly rooted in the deficient training that investigative agents receive. The basic course in criminal investigation, as in other specialties, lasts just three months; it is therefore limited to fundamental topics such as forensics analysis, chain of custody, crime scene management, and legal aspects of investigation.[151] Numerous studies continue to uncover deficiencies in crime scene preservation, collection and handling of evidence, and collection of witness reports, among other areas. More specialized training (for investigating organized crime, drug trafficking, etc.) is limited, and although international aid agencies offer some specialization courses, they are not open to all personnel. According to some experts, "the criminal investigation course is more like an introductory course than a course for police who want to specialize in investigations."[152] So little priority was given to this area that the police academy's school for investigators was closed for nearly two years (2004–5), during which time no police were trained in criminal investigations.[153]

This situation has been exacerbated by the lack of a clear career path for investigators, which means that a large number of agents trained as investigators are carrying out other functions in different posts. The U.S. Agency for International Development (USAID) reported, "It is alleged that more than a thousand officers . . . have been provided with varying types of investigative training, whereas less than 14 of them currently serve as police investigators or in SIC." [154]

Coordination problems also plague Guatemalan institutions involved in investigating crimes. "Contact between police and prosecutors is excessively distant and their channels of communication are limited. Prosecutors call police from their desks, rarely going in person to police precincts to become familiar with their working conditions and methods of operation."[155]

The lack of coordination was one of the reasons used to justify the excessive power given to the Directorate of Criminal Investigation (Dirección de Investigación Criminalística, DICRI), which created a crime investigation unit within the Public Ministry. This directorate lacked legal backing, and it has led to duplication of investigative functions assigned to the police. For example, in many cases staff from the Public Ministry have refused to permit police to enter a crime scene.[156] The DICRI finds itself in an absurd competition with the police investigative unit, to such an extreme that it prevents police investigators from doing their jobs.[157]

In 2004, in an effort to improve coordination and communication, the Public Ministry and the Interior Ministry signed an agreement to create within the police groups of investigators that would work in direct coordination with each of the prosecutor's offices. In other words, 15 groups were to be established to attend to the demands of each of the prosecutor's offices, plus 54 groups to work with district prosecutors.[158] In practice, however, the agreement has not been implemented, due in large part to the fact that the DINC lacks national coverage. For 2007, the PNC approved two general instructions related to coordination, but these measures also failed to have a significant impact.[159]

Because of the lack of results and inefficient police performance, two bills were presented to the Congress in 2008, both seeking to eliminate the DINC and create a new criminal investigation entity in its place. One bill proposes that this new body depend directly on the Public Ministry, while the other would place it under the Interior Ministry. The root of the problem, however, goes beyond the issue of which institution should oversee the division.

HONDURAS

As in neighboring countries, in Honduras one of the greatest weaknesses of the police is criminal investigation. The 1998 Police Law established the General Directorate of Criminal Investigation (Dirección General de Investigación Criminal, DGIC) charged with investigating common crime and the

General Directorate of Special Investigative Services (Dirección General de Servicios Especiales de Investigación, DGSEI), responsible for investigating cases of contraband, embezzlement, tax evasion, money laundering, kidnappings, arms trafficking and organized crime, among other crimes.[160] Under the new Organic Law of the PN, the DGIC became the National Division of Criminal Investigations (Dirección Nacional de Investigación Criminal, DNIC) and the DGSEI the National Division of Special Investigative Services (Dirección Nacional de Servicios Especiales de Investigación, DNSEI). The Public Prosecutor's Office also established its own investigative unit, the Division against Drug Trafficking. According to many experts, the decentralized nature of the criminal investigation system has led to conflicts over resources and the duplication of functions. Similar to the other countries, investigations are conducted under the direction, guidance, and supervision of the Public Ministry.[161]

Although the statistics on solving cases are better than in Guatemala, they are not encouraging. For its part, the DGIC reports that it has achieved around 80 percent resolution for some types of crimes and around 48 percent resolution for homicides. But the prosecutor's statistics paint another picture. In 2004, for example, of the 59,561 crimes reported at the national level, 35,094 were assigned to the DGIC to be investigated; of those, 8,697 were subsequently investigated. In other words, barely 25 percent of cases sent to the DGIC actually were investigated.[162] According to some studies, the vast majority of investigations concern the least complicated crimes. A similar situation occurred in 2006, when 49,196 crimes were assigned to the DGIC but only 9,196 investigations were concluded.[163]

Honduras also followed in the footsteps of its neighbors with respect to the unwillingness of the entities responsible for investigating crime to work together. Some experts maintain that during the era in which the investigative police was under the command of the Public Ministry, it functioned more effectively, investigating important crimes such as corruption, kidnappings, human rights abuses, and drug trafficking. Since its 1998 transfer to the Security Secretariat, however, there have been serious deficiencies in the clearing rate for cases.[164] Prosecutors argue that investigations are often weak and lacking in substance, and they claim that

investigators are often reluctant to reopen cases that have been returned for lack of evidence or to obtain more information. For their part, investigators complain that the criminal proceedings for which prosecutors order investigations are excessively bureaucratic[165] and that they are asked to invest resources in arresting people who are later freed by the courts.

To address this problem, in 2002 the Inter-institutional Criminal Justice Commission (Comisión Interinstitucional de Justicia Penal) was established to improve coordination as part of an overhaul of the criminal justice system into an accusatorial model. The commission was composed of members of the police, the Public Ministry, the Public Defender's Office, the Supreme Court, and the Attorney General's Office. It achieved some good results, including the establishment of the Center for Integrating Inter-Institutional Work Processes (Centro Integrado de Procesos de Trabajo Interinstitucional) in Tegucigalpa, where prosecutors, forensic scientists, investigators, and public defenders are housed in the same building in order to speed up the investigations process.[166] Nevertheless, the interinstitutional commission ceased to exist in 2006, and the law authorizing it to continue has not been enacted. Without the commission, and with CONASIN's weaknesses, criminal justice personnel lack formal channels of communication and coordination.

As for training, investigative agents are not required to be members of the force to enter the investigative unit. Once an applicant meets the required criteria, they receive six months of basic training in criminal investigations.[167] These courses have been useful for conducting basic investigations, but there has not been further effort to create specializations in more complex areas such as ballistics, fingerprinting, or money laundering. Although investigators have access to refresher courses and specialized training courses abroad throughout their careers, experts note that this training is offered to only a few investigators, and their knowledge may be lost to the institution if they are transferred to other areas.

As in other countries, the history of police investigation has also been affected by the lack of human resources. The ranks of investigators tend to remain fairly static, even as crime increases. In 1999, the DGIC had over 850 agents, the majority from the extinct DIC. A year later, 233 were incorporated into

*Although there are several definitions and models of "community policing,"
all fundamentally involve efforts to bring the police and the community into a
closer working relationship.*

the unit. Although they began to hire investigators once again in 2003, it was not until 2007 and 2008 that greater attention was given to increasing the size of the investigative police, bringing the total number to more than 1,400. Experts consider this to be a positive step but caution that this figure includes administrative staff, personnel on vacation, medical leave, under judicial investigation or in training, substantially reducing, as a result, the actual size of the investigative force on active duty. Given the low number of agents, investigations are often performed poorly, and cases with insufficient or inadequate evidence may be archived. In October 2008, in response to the lack of investigators and large number of cases, the DGIC and Public Ministry signed an agreement whereby prosecutors would be assigned to the homicide unit in an effort to speed up investigations.

The DGIC's limited presence in the country reflects the growing role of the preventive police in criminal investigation. In many cases the preventive police conduct the initial investigative procedures, but they often end up contaminating the evidence. These deficiencies show the clear need to train police at the lowest level in basic investigative techniques. Analysts also affirm that investigative actions by the Preventive Police have caused jealousy and competition for resources between the institutions and have resulted in duplication of functions. As a result, victims must file complaints in different places, which discourages them from doing so and generates even less confidence in the system.

The weakness of the criminal investigation unit has been exacerbated by the lack of sufficient equipment such as vehicles, motorcycles, vests, and weapons, and even such simple things as flashlights and magnifying glasses. The investigative police also lack equipment for film development and systems for evaluating ballistic evidence and identifying fingerprints, among other functions. According to experts interviewed as part of this study, the investigative police is expected to obtain fingerprint and ballistic systems by the end of 2009.

Frustration with the quality of criminal investigations led to a proposal by the Public Ministry to create its own team of investigators, the Technical Criminal Investigation Agency (Agencia Técnica de Investigación Criminal) to investigate an array of serious crimes ranging from homicides, kidnapping and money laundering to organized crime, terrorism and drug trafficking, among others. Debate about the creation of the ATIC has been minimal but it does raise concerns about the duplication of functions without addressing the weaknesses described above.

GETTING TO KNOW YOU: COMMUNITY POLICING

Throughout the region, community policing programs have been implemented to address the challenges facing police as they seek to respond to high crime rates and improve their public image and operational efficiency. Although there are several definitions and models of "community policing," all fundamentally involve efforts to bring the police and the community into a closer working relationship, with the ultimate aim of preventing crime rather than simply responding to it in a reactive fashion.[168] In the best case, the community policing model offers a strategy for making policing more transparent and responsive to community needs. In the worst case, it can reproduce repressive practices or support the continued dominance of privileged sectors. For that reason, it is always important to analyze the challenges and lay out metrics for reaching the stated goals before implementing a specific model of community policing. This is even more important in Central America, given the region's history of internal conflicts.

EL SALVADOR

El Salvador's PNC has a Community Policing Unit that falls under the Community Relations Secretariat (Secretaría de Relaciones con la Comunidad). Its mandate is to strengthen the working relationship between the police and various sectors, institutions,

and the community at large. The unit has created Citizen Security Committees (Comités de Seguridad Ciudadana) that function in various communities. With the participation of community members, these committees seek to identify local security problems and propose solutions. In some regions police carry out foot or bicycle patrols, depending on the geography and population distribution. This practice is piecemeal, however, due to a lack of personnel, logistical challenges, and the impact of the joint police-military patrols, which have overturned established patrolling norms.

Of the various police-community initiatives that have been implemented in the country, perhaps the most extensive has been the Community-Oriented Police Patrol program (Patrullas de Intervención Policial Comunitaria), better known as PIPCOM. It was launched in 1999 by the International Criminal Investigation Training Program (ICITAP) of the U.S. Department of Justice through a pilot project in the city of Mejicanos. PIPCOM aimed to reduce crime by increasing police street presence and improving the information gathering that can help orient police patrols toward specific targets. The program consults a database of suspected criminals, evaluates crime rates and sociocultural characteristics in different areas of the municipality, and later assigns police to permanent beats.[169] The program was reinforced by USAID, which provided equipment such as radios and bicycles and aid to modernize information and case management systems. By 2005 the program had been implemented in 200 municipalities throughout the country and reached 90 percent of the population, according to the U.S. Embassy.

From the beginning, however, critics questioned whether this program could truly be called community policing given the limited role of the community. The PIPCOM model focused more on information-based patrolling. The model offered an important innovation, particularly for a police force accustomed to a highly reactive style of policing. Nevertheless, it was not truly designed to promote active community participation in the orientation and monitoring of policing.[170]

Initial evaluations of the program were quite positive in some regions of the country. Some experts believe, however, that the attempts to construct close relations with the community and introduce changes in the administration and management of resources remained at the discretion of police chiefs, and that

they did not give uniform attention to the program.[171] The lack of a strategic vision and the scarcity of resources caused the program to fall by the wayside in some communities. "In practice, many patrols have become special shock forces, dedicated to identifying and pursuing suspects."[172] These sentiments were reinforced by a police commissioner who stated that "the prevention part was emphatically implemented, but very little attention was given to the community relations part."[173]

An initiative currently being implemented is the pilot program in La Unión department, based in large part on the Japanese community policing model. Launched in October 2008 with support from the Japanese International Cooperation Agency (JICA), the program urges agents to make direct contact with communities and seeks greater police presence in communities that need it. The program is intended to become the institutional model of community policing. The project includes a community policing manual that will be adopted by the academy as part of the curriculum, and ANSP staff have been trained on its implementation. According to the police director, the program includes an oversight and evaluation mechanism to measure its results.

Some regions have had positive experiences implementing their own initiatives, in which police are playing an active role, but experts note that these generally depend upon the personal interest of the local police chief and are also impacted by the rotation of the police officers heading the initiatives. As one commissioner explained, "a delegation chief can have a great deal of contact with citizens, allowing him to participate in different projects . . . but not all delegation chiefs are convinced that it is the best way to invest their money and resources."[174] In some delegations there are one or two agents who are dedicated to community policing programs, but they are the only ones.[175] According to a FESPAD analyst, "the police are not an entity that interacts with society as a result of its policies. I think there are important instances of coordination at the local level that are spontaneous and depend on the initiative of local police chiefs, despite there not being an official policy promoting it."[176]

Previous comments point to the lack of a well institutionalized policy of community relations. The PNC does not have clearly defined policies or doctrine with respect to the issue of community policing. As

The lack of clear guidelines in El Salvador allows for diverse interpretations of what community policing entails.

a result, as one commissioner noted, the police can come to a community, hold meetings with residents and organizations, and then become caught up in individual cases because there is no clear structure that guides the police in how best to address the different issues that may arise. "I have a meeting with actors I consider important and that need to be involved in finding a solution to the problems of violence and criminality in that locality. What do I do with them? I have them seated there. But what do I do? Where do I start? What happens when something occurs and I don't have this sufficiently clear is that I begin to address everything only on a case-by-case basis."[177]

The lack of clear guidelines allows for diverse interpretations of what community policing entails. While some see it as a way to improve police service, others regard it simply in terms of public relations or as a way of obtaining more resources. An example of the latter approach is the creation of more than 150 Support Committees (Comités de Apoyo) throughout the country by the Foundation for Police Well-being (Fundación de Bienestar Policial). The Support Committees collect resources for repairing patrol cars, solicit in-kind donations of spare parts, bicycles, and office equipment, and ask for help with other local police needs. These efforts can help improve the working conditions of local police, but they limit community participation to an economic support role.

GUATEMALA

Guatemala has a vice minister of community policing responsible for the development and implementation of community relations policies and prevention programs. In 2005, to focus more attention on the issue, the General Subdirectorate for Crime Prevention (Subdirección General de Prevención del Delito) was created and assigned tasks associated with community relations, crime prevention, and sporting and cultural activities. The subdirectorate has six divisions, including the Community Relations Division, which has a central office in the capital and four departmental delegations.[178] It aims to create awareness within the police, encourage citizen participation, and promote the involvement of public and private institutions in addressing local public security needs.

Along these lines, in recent years the PNC has implemented several programs that include day and night visits to homes, police-neighborhood meetings on specific issues, the organization of community activities, the distribution of flyers detailing crime prevention and self-defense methods, and targeted patrols in vulnerable areas. It has also set up a preventive alert system to establish more effective channels of communication between the police and the community.

Perhaps the core of community policing work in Guatemala has been the establishment of Local Security Boards (Juntas Locales de Seguridad, JLS). Created in 1999, the boards seek to facilitate citizen participation as a means to engender greater confidence and establish a relationship between the police and the citizenry. They also support the police in the identification and implementation of crime prevention strategies and community relations in direct coordination with the authorities. According to the Interior Ministry, the boards' composition varies according to the characteristics and needs of each area, but most are made up of eight members, including one police representative. According to official sources, there are currently 344 Local Security Boards in the country, involving approximately 2,544 people.[179]

Experiences of communities with these boards vary considerably depending on the particular situation. In some regions they have created a useful space where community members can meet to identify and prioritize community problems and discuss possible solutions, improving police-community relations in the process. In other cases, however, the boards have patrolled alongside the police or replaced them entirely. Problems arise when the local boards enable citizens to become law enforcement agents themselves, carrying out patrols, detaining persons, and sometimes taking justice into their own hands. Although authorities claim that they do not endorse the boards' patrols or the consequent abuses, these cases point to the lack of a clear strategy for use of the boards and to a lack of the supervision needed to ensure that they are not used as tools for social

PHOTO CREDIT: *PRENSA LIBRE*

Members of a Local Security Board (Junta Local de Seguridad) in Colomba, Quetzaltenango, Guatemala. In some cases, these groups have armed themselves and taken to patrolling their own communities, effectively taking the law into their own hands.

students were particularly vulnerable to extortion. In addition, the program also sought to carry out various activities to improve community-police relations, including painting over gang graffiti. The model generated a successful patrol strategy, enabling a more effective use of personnel and resources, which in turn resulted in lower levels of victimization among children and youth attending community schools.[182] As part of the program, in early 2007, 24-hour courts were opened in the municipality, a step that has strengthened the justice system. These courts enable almost immediate access to a judge and have partially eliminated the problem of overcrowding in jails by reducing the number of people incarcerated and then held until a judge can hear their case. Moreover, the focus on enhancing the investigative capabilities of the precinct has resulted in a larger and much better trained investigative force in comparison to the national average (27 percent of the force in investigative tasks, as opposed to the national average where only 4 percent of the force work on investigations).[183]

control or criminal activity. As the human rights ombudsman argued, "delegation of planning and support responsibilities to the boards is risky, because these organizations, with excessive power and without oversight, tend to commit abuses."[180] A USAID report stated, "Given the history of mistrust and fear between the populace and the police, however, what remains dubious is the extent to which these associational groups are sufficiently versed in what their roles are with respect to community-based policing, crime prevention, and security policy, in general."[181]

Since 2005, the U.S. government has also been implementing a pilot project in Villa Nueva, a neighborhood in the outskirts of the capital that is considered high-risk because of its alarming rates of crime and violence. The program, designed to encourage participation in crime prevention by neighborhood residents and police, has three main elements: developing a model police precinct, training agents in patrol techniques with a community perspective, and implementing a civilian intelligence system. These efforts are coordinated by the U.S. Embassy's Narcotics Affairs Section (NAS).

The strategy of police patrols was focused on improving police presence in public schools, where

Many critics question, however, whether the program can truly be considered a community policing program. Although it has some components dedicated to enhancing police-community relations, it places greater emphasis on the reaction to and repression of crime and enhancing the investigative capabilities of the model precinct.

Moreover, one of the most characteristic and controversial aspects of the program is the anonymous crime hotline (known as "Tell it to Waldemar"), created in Villa Nueva in 2005, and nationally in 2008. Some civil society organizations have expressed concerns about abuses that might be linked to the project. They allege that some people who were reported to the project's crime hotline later turned up death. Those responsible for the program deny these accusations and attest that all members of

Community policing programs have brought concrete benefits to some communities where they have been implemented, particularly by improving public services.

the precinct are vetted. While no cases of such links have been brought before the justice system, there is a perception in the community that denouncing a member by phone will bring serious consequences. At the same time, while some support the program, others see it as generating tools for vigilantism. These rumors, if left uninvestigated, could damage the credibility of the hotline and threaten to transform it in the public eye into a mechanism where citizens feel they can anonymously identify "undesirables" for elimination.

Part of the problem, as in El Salvador, is the lack of a clearly defined vision of community policing that is reflected in government policy. "The idea of community policing exists as a concept within the police. . . but [it] has not been developed as institutional policy. Most police are not familiar with the concept, which is why they don't have the confidence to implement it."[184] Evidence of this, the departure of the vice minister for community policing in July 2008 left the post vacant,[185] and it was not until April 2009 that a replacement was nominated.

HONDURAS

After the Security Secretariat was established, it created local Citizen Security Committees (Comités de Seguridad Ciudadana) to work with the police. By early 2000, more than 550 such committees had been created around the country. These committees, however, lacked legal status and clear regulations, and in some regions reports began to surface about their involvement in criminal activity, extortion, illegal arms possession, and even extrajudicial executions.[186]

In 2002, under the administration of Ricardo Maduro, community policing programs were revamped and the "Safer Community" program (Comunidad Más Segura) was created. It started as a pilot project in seven cities with the highest crime rates, bringing together police officials and agents and including three basic components: improving police-community relations by assigning agents to foot patrols, implementing special programs and educational seminars in communities, and organizing meetings and local committees.[187] The program later expanded to 30 of the most crime-ridden parts of the country.

In 2003 the "Safer Community" program became part of the newly created Subdirectorate of Community Policing (Subdirección de Policía Comunitaria) in the Preventive Police Directorate (Dirección de la Policía Preventiva). Currently, the Subdirectorate of Community Policing has 400 basic agents and 40 higher ranking officers, with coverage in all 18 of the country's departments. Most of its staff, however, are stationed in the larger cities with high rates of violence; the remaining regions are covered by police liaisons for whom community policing programs are just one of many responsibilities. Observers who were interviewed were encouraged by the diffusion of the concept of community policing, although the lack of genuine institutionalization and difficulties in providing follow-up are potential problems that may arise in implementation.

Community policing practices include techniques for foot, bicycle, and motorcycle patrolling; house-to-house visits; and talks in schools, churches, and sports clubs. Of the various community policing programs implemented by the subdirectorate, the most common strategy, particularly in the current government, features Citizen Security Councils (Mesas Ciudadanas de Seguridad). Composed of representatives from the police, communities, and local government, the councils seek to improve police-community relations and offer a mechanism by which citizens can share their security concerns with the police and work with them to define an action plan for solving these problems. According to the police, there are about 9,707 Citizen Security Councils, with a presence in every department of the country. The Security Secretariat claims that 97,000 people are registered as members and that 47,000 members have been trained.

Community policing programs have brought concrete benefits to some communities where they have been implemented, particularly by improving public services such as public lighting or the cleaning of vacant lots. In San Pedro Sula, for example, the program succeeded in repairing 30,000 of the city's 57,000 streetlamps.[188] The police benefit as well, because the Citizen Security Councils have helped obtain support for the construction or repair of police stations and the purchase or repair of vehicles. This

improves the work conditions of the police, although as noted above, it reduces community participation to an economic support role.

In some regions of the country, the community policing programs seem to have reduced citizens' perception of crime and increased confidence and trust in the police. According to data from a poll carried out in four cities where the Citizen Security Councils were implemented, 19 percent said that the community policing program had been extremely successful in reducing violence and that it had increased their confidence in the local police, while nearly 57 percent said it had been successful. Likewise, in a poll conducted in 2004, 75 percent of respondents acknowledged the "positive effects" of community policing.[189] But the gains achieved, as clear as they are, could be undermined by the use of repressive strategies that are likely to generate distrust in the population and result in a rapid rupture of the links established through the community policing model.

Citizen security experts note that the best community policing experiences have occurred in regions where the community has been given an active role and where local police have had greater independence to adopt different strategies in their respective communities. But experiences have not been the same in all regions, in part because the mechanisms for citizen participation have not been clearly defined. The organization and development of Citizen Security Councils, for example, is the responsibility of the community police, so the councils' level of participation and feedback depends on them. A study by the Autonomous University of Honduras of seven councils revealed that the feeling of security tends to vary, depending on whether or not community members are integrated into the councils and able to develop close links to the police. Greater satisfaction was found in the two neighborhoods that had been working continuously with the authorities over an entire year, which enabled them to develop close collaborative relationships. The greatest dissatisfaction was related to low levels of community participation and the failure to encourage the councils to take an active role.

Community policing programs have also been affected by limited logistical, human, and financial resources. According to Carlos Chinchilla, former director of the Safer Community program, at their inception the programs survived only on international aid. Not until 2006 were they given funding from the national budget.[190]

Inside the Honduran police there has been resistance and skepticism toward the benefits of the community policing model. As Chinchilla pointed out, the community police began as a unit, but to be successful, community policing had to become a philosophy. There persists a mentality of control over collaboration and a refusal to abandon old practices and customs. "It is still hard for police to understand that they have to show results to the people and not to the chief."[191]

NICARAGUA

In Nicaragua, community participation in citizen security dates to the inception of the National Police. According to some experts, the Nicaraguan police is an institution focused first and foremost on prevention, education, and community relations. According to former PN director Francisco Montealegre, the strengthening of relations with the community was one of three pillars of the initial police strategy. There were two strategic reasons for this: one, strong relationships with the community were considered a fundamental principle; and two, for the founders, the success of the police depended to a large degree on collaboration with the community.[192] For that reason, at the end of the 1990s police-community relations were strengthened through national public forums, neighborhood patrols, and the creation of neighborhood committees in municipalities and departments to resolve local security and transit problems.[193]

In 2000, after its first institutional diagnostic, the PN designed a process to develop a national strategy to facilitate and strengthen police-community relations. The following year, with the support of the international community, the PN developed a Comprehensive Police-Community and Human Rights Policy (Política Integral Policía-Comunidad y Derechos Humanos). The strategy was intended to incorporate human rights and community policing into all police specializations, as well as to encourage citizen participation in combating crime and strengthening the institution's public image.[194] A report by the Institute for Strategic Studies and Public Policies (Instituto de Estudios Estratégicos y Políticas Públicas, IEEPP), a Nicaraguan think tank, claimed that the model was not implemented because of budgetary reasons and "adverse conditions that prevented active participation of the community.[195]

Despite these advances, progress in establishing modern, rights-respecting police forces has been uneven, and the process is far from complete.

However, in 2007 the new leadership of the PN relaunched the model and aggressively promoted it. The model is based on "sectorization," which assigns a geographic area to a police officer who is responsible for controlling crime in that area, identifying security threats, and establishing relations with members of the community to promote preventive actions.[196] For police leadership, it is an inverted model in which security demands begin locally.[197]

At the center of the strategy are the Committees for the Social Prevention of Crime (Comités de Prevención Social del Delito, CPSD). The CPSDs are community-level bodies made up of police officers, community leaders, civil society groups, the private sector, and parents. Their functions include drafting crime prevention plans with the police, offering specialized attention to children, youth, and elderly persons in the community, working with local private and governmental institutions to identify solutions to problems, and promoting recreational and cultural activities for youth. In contrast to other forms of community participation organized by the community or other entities, the CPSDs are convened by the police through the sector chiefs (*jefes de sector*) in coordination with mayors (*alcalditos*) or community leaders.[198] According to official statistics, as of February 2007 there were 2,064 CPSDs with 20,000 members.[199]

We did not have access to recent evaluations of the impact of the community policing programs, but various sources argue that, in the case of Nicaragua, the police chiefs' political will and openness to community input generally have produced community policing programs that are relatively successful.[200] Nevertheless, an IDB presentation from 2005 reveals that there are places where the committees are weak or received little attention from the police, as well as places where low-ranking police have little understanding of community relations.[201] The report also revealed differences regarding the role of sector chiefs, which means that the issue is treated with different levels of importance within the institution. Participants in the 2007 national conference of CPSDs affirmed their support for police-community work, but they demanded greater police presence in their communities, more police involvement in carrying out the communities' plans, and greater communication with and participation of the committees.[202]

Conclusions and Recommendations

A central component of the peace processes in Guatemala and El Salvador and the political transitions in Honduras and Nicaragua was the creation of apolitical, efficient, and rights-respecting police forces subordinate to civilian authorities, separate from the armed forces, and free from political influence. By the end of the 1990s the new police forces had achieved important advances in these areas. These efforts were accompanied by the adoption of new police doctrines that formally embraced human rights standards and citizen protections and by the establishment of civilian police academies to purge military influence. Internal control mechanisms were established and measures were adopted to improve criminal investigations. The transition also prompted the creation of ombudsman's offices to protect human rights and, in general, created an opening for civil society to play a more active role in public security issues. WOLA applauds this progress. Police reform is not, under any circumstances, an easy process. Despite these advances, progress in establishing modern, rights-respecting police forces has been uneven, and the process is far from complete.

Throughout the region, important steps have been undertaken to improve police recruitment, selection, and training. More stringent selection standards have been adopted in an effort to attract a better pool of applicants, prevent the entry of individuals with unsuitable backgrounds, and reduce corruption. All the countries reviewed have made efforts in the last few years to move away from traditional police training methods and toward new models that place greater emphasis on field training in order to equip trainees with better skills to confront the day-to-day realities of their jobs. A more comprehensive curriculum has been developed that includes courses in human rights, community policing, gender-based violence, disciplinary procedures, and basic criminal investigation techniques, among other topics.

Despite these steps forward, an immense gap exists between the procedures taught at police academies and the behavior of police officers once they are deployed. Efforts undertaken in the last two years to address this obstacle by moving away from traditional police training methods and toward new models that place greater emphasis on practical training in order to equip trainees with better skills to confront day-to-day realities are commendable. These processes must be evaluated on a regular basis for their impact on police conduct and to guarantee that important subjects such as police regulations and human rights are not de-emphasized.

Weaknesses in police training point to several issues. In most countries, effective evaluation of the curriculum is lacking, and mechanisms of coordination between the academies and the police are weak. This has made it difficult to ensure that the curriculum meets the country's public security needs and the needs of communities while also teaching respect for human rights and due process guarantees. Though respect for human rights and an understanding of community policing have been incorporated into the curriculum, they have not been institutionalized in a new culture and philosophy. Nor are the academies generally afforded sufficient resources to meet these diverse objectives. In addition, aside from basic training and required courses for promotion, officers are rarely offered ongoing training throughout their career.

Weaknesses highlight a broader problem. Police behavior is not shaped solely by training but also by the institutional culture and leadership. Often overlooked is that fact that gaps between training and practice can also signal a disconnect between an institution's official philosophy and the views of its leaders.

Another common concern expressed in Guatemala, Honduras, and El Salvador is the involvement of police officers in extrajudicial killings, particularly of gang members, common criminals, and so-called "undesirables." Many local and international organizations, including the United Nations, have warned that extrajudicial executions are being committed with the acquiescence, tolerance, and, at times, direct involvement of members of the police. Guatemala has had numerous chilling cases of police involvement, including at the highest levels, in corruption, assassinations, and criminal activities. These have exposed an alarming degree of infiltration by organized criminal networks into the Guatemalan police and other state institutions. The extent of concerns regarding extrajudicial executions and corruption highlight a number of critical issues, including weaknesses of the internal control mechanisms, the pressing need to fight corruption and dismantle criminal structures within the institutions, and the need to bolster external control and oversight systems.

Although internal oversight mechanisms have been formally established in all police forces, in general they have been weak, understaffed, and ineffective. For the most part, control of police misconduct has not been a high priority, and attention to the issue has been inconsistent and reactive. Consequently, internal control mechanisms have failed to address the growing problems of corruption and serious human rights violations that have tarnished the reputations of police forces. As noted by various experts, disciplinary measures have been brought mostly against low-ranking officers, leaving the impression that senior officers are above disciplinary action. At the same time, in most countries, while officers implicated in criminal cases may be dismissed, they are rarely prosecuted. It is imperative that officers implicated in criminal wrongdoing receive a clear message that they will be sanctioned for their actions. Given the low levels of public confidence in the police in most countries in the region, it is important for the local community to see that the police are making a good-faith effort to investigate, discipline, and punish any perpetrators of abuse, regardless of their position or rank. Throughout the region there is a lack of mechanisms for using the information collected through the disciplinary system to identify patterns and trends so that countries can implement corrective measures in training, operational practices, and management. Removing "a few bad apples" does not address the deep-rooted institutional weakness at the heart of the problem.

The recent initiatives undertaken in Nicaragua and Guatemala to purge the police are a positive step and a clear illustration of the advances that can be achieved with political will. These efforts must be sustained. In the case of Guatemala, these measures must be accompanied by the prompt implementation of the pending disciplinary reforms to strengthen internal controls. Measures need to be taken to fully dismantle the organized criminal structures embedded in the institutions and prevent their reemergence. The

much-needed reforms introduced in Honduras to strengthen accountability and oversight mechanisms are commendable. Their eventual success will depend largely on the support and backing provided for their implementation.

In Central America, the design of external control mechanisms is particularly important given the history of human rights abuses by state agents and the weaknesses of both internal accountability measures and the criminal justice system. As a result, novel public security councils that include the active participation of civil society actors have been established in El Salvador, Guatemala, and

A Guatemalan PNC officer stands guard at the scene where five bodies were found in the El Gallito neighborhood of Guatemala City in September 2007. The murders were linked to police officers with the use of GPS data from a PNC squad car. These types of extrajudicial killings of "undesireables" are a common concern in Guatemala, Honduras, and El Salvador.

most notably Honduras. Since WOLA last reviewed the issue, civil society actors have acquired a tremendous wealth of expertise and knowledge of citizen security issues. These councils can bring both oversight and new thinking to security sector issues and are an innovative idea, bringing together experts from civil society and government agencies. They were designed to improve transparency and accountability in public security matters. In practice, they have been less than effective, mainly because of the lack of political commitment from government officials. As a result, states unfortunately have not taken full advantage of the growing wealth of knowledge, experience, and information in civil society to support and advance democratic public security practices.

Human rights ombudsmen and legislatures also serve as important external oversight bodies. Throughout the region, human rights ombudsmen have played a critical role in receiving and investigating complaints, denouncing police abuses, and recommending changes in policy. Yet they have often faced funding constraints, personnel shortages, and lack of political support from other institutions.

The legislatures, for the most part, have tended to be weak and inefficient at ensuring police transparency and accountability.

A consistent problem throughout Central America is the ineffectiveness and corruption that continue to characterize most criminal investigative units. As a general rule, investigators lack even basic investigative skills, resulting in frequent complaints about their failure to properly protect crime scenes, collect and preserve evidence, and collect witness testimony. Inadequate resources, budgetary constraints, and lack of sufficient staff have also contributed to sloppy investigations. Detectives have to juggle numerous cases, forcing them to prematurely drop a significant number with no clear evidence despite strong leads. Honduras, for example, has taken steps to increase the number of investigative police, but the numbers remain low. While the investments undertaken in some countries, such as El Salvador, to equip criminal investigative units with better and more modern technology and equipment can contribute to improving the collection of scientific evidence and solid cases, technology alone is not

Arbitrary mass detentions like this one in San Salvador, El Salvador, in January 2008 have been shown to be largely ineffective as a long-term strategy to curb crime.

PHOTO CREDIT: AP PHOTO/EDGAR ROMERO

an important step forward and can provide an opportunity to move away from repressive models of policing toward a more community-based policing approach.

Nonetheless, these programs have shown varying levels of success across the region. Nicaragua is perhaps the most successful given the importance attached to serving the community and the openness to citizen input on the part of police leadership. In some communities in the region, local police and authorities have played an active role in community policing and local residents have been well organized. But in others, for example in some communities in Guatemala, local security councils have been used to assist in patrolling and in some instances have become tools to control and repress fellow residents. This situation clearly illustrates why community policing efforts must be launched only in the context of clear accountability and oversight measures. This is particularly important in Central America because of the history of repression, abuse, and social control at the hands of the old security apparatus in each of these countries.

Efforts to strengthen police-community relations have also been undermined, as in El Salvador and Honduras, by the repressive strategies implemented in some crime-ridden zones. Such strategies generate fear and mistrust and can ultimately neutralize any gains made through community-oriented policing initiatives. A lack of resources and the rotation of police officers have also restricted the ability of police to follow up and gain the trust of local residents. Many programs have depended mostly on the financial support of the international community. Faced with personnel shortages and difficulties in attracting sufficient numbers of new recruits, many of the region's police

enough to overcome the system's deficiencies. Adding to the paltry skill set and overburdened staff is the lack of coordination and collaboration between criminal investigative unit and public ministries. The lack of clarity about responsibilities and the failure to share information leads to weak cases, organizational rivalries, and duplication of efforts. Consequently, many crimes go unresolved and unpunished, with Guatemala's staggeringly low 2 percent prosecution rate being the leading regional example of rampant impunity. As the head of the International Commission against Impunity in Guatemala (CICIG) remarked, "no country in the world can enjoy the luxury of permitting its prosecutors and police to be divorced from one another."

All countries in the region have adopted programs to strengthen police-community relations with a view to improving citizen security and the public image of the police. These programs include elements aimed at making police more responsive to the security needs of local communities, such as local security committees involving citizens, education campaigns on crime prevention, and increased foot patrols. The greater attention to police-community relations is

As concern mounts about the deteriorating state of citizen security in the region, international cooperation and support can again be key in helping to address these challenges.

forces have focused their efforts on repressive policing strategies and have not given comparable institutional attention and support to community policing efforts.

At the heart of the issue is the fact that most community policing programs, notably in Guatemala, Honduras, and El Salvador, have lacked coherence and a clearly defined institutional vision of community policing, as well as policies and standards to inform these efforts. Though some officers may see the value of community policing, many others remain reluctant to abandon old habits and practices, and they resist more active local participation in defining citizen security issues.

Central Americans demand their right to security. Realizing this right requires addressing the inadequate number of police personnel and insufficient resources that currently lead to disproportionate variations in police coverage. Indeed, some areas within each country are barely policed at all. Attracting and retaining more and better-qualified officers will entail providing them with sufficient salaries, decent working conditions, and career development incentives. Central American governments have vowed to increase the size of their police forces. Expanding the number of police personnel, however, should be based on long-term strategies that clearly define the policing model.

The international community played an important role during the initial police reform processes in the 1990s by providing technical assistance and training and political support. This assistance proved to be crucial for the gains attained. As concern mounts about the deteriorating state of citizen security in the region, international cooperation and support can again be key in helping to address these challenges. International donors have often opted to make unique contributions to special units that focus on specific problem areas. At the same time, donors often have particular expertise and particular interests. However, in order to ensure the professionalization of the region's police forces, attention must be given to the larger institutional challenges and to long-term institutional development. Governments need to develop citizen security strategies that identify and address the broad range of

problems they must tackle and comprehensive long-term plans for broad institutional reform of the police. Enhanced donor coordination and cooperation will be critical to the success of any such initiative.

The new forms of violence that affect the region pose a serious threat to governance and the rule of law. The ability of Central American governments to respond effectively requires a new vision—a genuine and urgent focus on professionalizing the region's police forces. Police reform is not an easy process and must not be viewed as the sole solution to the region's security problems. Successfully addressing the problems of violence and insecurity requires a long-term, multifaceted approach. Crucial to the consolidation of democracy in the region is the ability of each state to make progress in establishing modern, effective, and professional police forces that respect human rights and due process guarantees.

SPECIFIC RECOMMENDATIONS FOR THE STATES AND FOR THE INTERNATIONAL COMMUNITY ARE AS FOLLOWS:

▶ **Governments must develop comprehensive national citizen security plans** that identify and address the range of threats they must confront and include clearly defined long-term strategies for broad institutional police reform and modernization issues.

▶ **Governments must develop a clearly defined vision of community policing and define policies and standards to guide work in this area.** Internal and oversight mechanisms must be strengthened to ensure that community policing efforts are not wrongly used as vehicles for social control or abuse by local authorities or community members.

▶ **Governments must ensure that the role of the militaries is limited to external defense.** Where exceptional circumstances necessitate military support for police, this should be for a limited and specified time, and the deployment should be clearly under civilian control.

▶ **International donors should bolster technical and political cooperation for efforts to modernize and professionalize the region's police forces.**

Training and assistance should be oriented toward advancing processes of institutional reform rather than focusing narrowly on specialized police units or a few problem areas. Cooperation should focus on police training and doctrine, human rights and due process, leadership development, criminal investigations, internal and external controls, and community-oriented policing. Donor coordination and cooperation is essential to achieving these ends.

▶ **Police academies should provide training that responds to the institutional needs of the police and to the realities of citizen security in each country.** Steps should be taken to strengthen courses on human rights, ethics, and community policing. Coordination and communication mechanisms must be developed to ensure continuing evaluation and feedback after police are deployed. In-service officers need continuing education opportunities to keep their knowledge and skills up to date and to encourage good practice and professionalism. To address weaknesses in criminal investigation, basic courses in this field should be upgraded. Joint trainings between investigators and police should be provided in an effort to foster ongoing communication between different agencies throughout an investigation.

▶ **Governments must make certain that internal control mechanisms are able to function independently and are afforded sufficient resources, well-trained personnel, and political support to be effective.** These mechanisms need to be strong enough to properly investigate and punish police abuse and wrongdoing, monitor and evaluate the conduct of the police, and administer routine disciplinary procedures conducted by the command hierarchy. In the case of Guatemala, the pending reforms of the PNC Disciplinary Code must be approved without delay. In Honduras, police leadership and government authorities should take all steps necessary to ensure adequate and prompt implementation of recent reforms in internal control. Steps must also be taken to develop tools for identifying patterns of abuse and trends so that corrective measures can be implemented, and to establish early warning systems that could remove abusive police from the streets. Moreover, coordination mechanisms must be strengthened to guarantee that members of the police who have committed crimes face justice. Disciplinary issues should be incorporated into personnel decisions, such as promotions and assignments.

▶ **External control mechanisms must be strengthened.** Civil society can play an important role in overseeing police forces and formulating public security policies. Governments should support public security councils and take advantage of the constructive function they can play in addressing the region's security challenges.

▶ **Criminal investigations must be given priority in order to combat impunity and ensure that suspects are brought to trial.** Greater attention must be given to improving training, increasing the size of investigative units, and providing adequate resources and equipment. Cooperation and communication between police and prosecutors should be strengthened, including by providing joint trainings.

Endnotes

1   "Remarks by the Secretary General of the OAS, José Miguel Insulza, Opening Ceremony of the First Meeting of Ministers Responsible for Public Security in the Americas," Organization of American States, OAS/Ser.K/XLIX. 1, MISPA/INF. 15/08, November 6, 2008, p. 1.

2   Elsa Falkenburger and Geoff Thale, *Youth Gangs in Central America: Issues in Human Rights, Effective Policing, and Prevention* (Washington, DC: Washington Office on Latin America, 2006), p. 9.

3   For a complete list of WOLA's reports on citizen security, please visit http://www.wola.org.

4   The report does not examine the experiences of Belize, Panama, or Costa Rica.

5   Jeannette Aguilar Villamona, Edgardo Amaya Cóbar, and Jaime Martínez Ventura, *Información y gestión policial en El Salvador* (San Salvador: Fundación de Estudios para la Aplicación del Derecho, 2001), p. 13.

6   Ibid.

7   Ibid.

8   Jack Spence, *War and Peace in Central America: Comparing Transitions toward Democracy and Social Equity in Guatemala, El Salvador and Nicaragua* (Boston: Hemisphere Initiatives, 2004), p. 53.

9   Ibid, p. 62.

10 Hugh Byrne, William Stanley, and Rachel Garst, *Rescuing Police Reform: A Challenge for the New Guatemalan Government* (Washington, DC: Washington Office on Latin America, 2000), p. 2.

11 Julieta Castellanos and Leticia Salomón, *Honduras: Reforma policial y seguridad ciudadana* (Tegucigalpa: Foro Ciudadano, 2002), p. 3.

12 Ibid., p. 8.

13 Francisco Javier Bautista, "La Policía Nacional: Antecedentes, retos y evolución," August 2006, http://www.franciscobautista.com.

14 Marion Bihler, Judy Butler, and Gareth Richards, *A Story that Deserves to be Told: Gender and Institutional Modernisation in the National Police of Nicaragua, 1996–2005* (Managua: Promotion of Gender Policies/GTZ, 2006), p. 16.

15   Ibid., p. 16–17.

16   Ibid.

17   Spence, *War and Peace in Central America*, p. 65.

18   Ibid.

19   William Grigsby, "The National Police Under Attack: The Clues Behind the Crisis," *Revista Envío*, August 2003, p. 4.

20   Spence, *War and Peace in Central America*, p. 65.

21   Ibid., p. 66.

22   The commissaries work in coordination with other government agencies and civil society organizations to offer a variety of services to women and children who are victims of violence. In 2008 there were 32 such commissaries across the country, according to the police.

23   Carlos Acevedo, *Los costos económicos de la violencia en Centroamérica* (San Salvador: Consejo Nacional de Seguridad Pública, 2008), p. 2.

24   "Tasas de Homicidios Dolosos en Centroamérica y República Dominicana Por 100,000 Habitantes (1999-2007)," Observatorio Centroamericano sobre Violencia (OCAVI), November 5, 2007.

25   Ibid.

26   Gabriel Aguilar Peralta, "Enfrentar la violencia con 'mano dura': Políticas de contención en Centroamérica," in *(In)Seguridad y violencia en América Latina: Un reto para la democracia*, Pensamiento Iberoamericano, no. 2 (Madrid: Agencia Española de Cooperación Internacional para el Desarrollo and Fundación Carolina, 2008), p. 132.

27   Ibid., p. 132.

28   Ibid., p. 132–34.

29   Ibid., p. 138.

30   In 2006, in response to the surge in violence, 3,000 former soldiers were tapped to make up a special citizen security team. They had been retired only a few months earlier during a series of layoffs to shrink the size of the military as called for in the peace accords. According to press reports, the former soldiers were sent out on street patrols after receiving the police version of "basic training," a course lasting only 45 days.

31   This bill had not yet been voted on in mid-2009, as this report went to press.

32   During the government of Manuel Zelaya, for example, it was announced that 1,000 soldiers would be immediately transferred to permanently reinforce the Preventive Police, after a basic one-month course in the academy. According to data gathered by the Center for Police Instruction, by the end of 2006 only about 211 soldiers had graduated from the basic course and been incorporated into the police. Reina Auxiliadora Rivera, "Sistematización de datos sobre la reforma policial en Honduras," unpublished background paper prepared for the Washington Office on Latin America, 2008.

33   Ibid, p. 15.

34   Lorena Seijo, "Policía pagará Q120 millones por soldados." *Prensa Libre*, March 31, 2008.

35   José María Rico and Laura Chinchilla, *Las reformas policiales en América Latina: Situación, problemas y perspectivas* (Lima: Instituto de Defensa Legal, 2006), p. 56.

36   Interview with a National Civilian Police commissioner, by Edgardo Amaya Cóbar, 2008. This interviewee requested anonymity.

37   Luisa Carolina Arévalo, *Estado de control interno de la policía en El Salvador* (San Salvador: Fundación de Estudios para la Aplicación del Derecho, 2004), p. 8.

38   Comisión Nacional para la Seguridad Ciudadana y la Paz Social, *Seguridad y paz, un reto de país: Recomendaciones para una política de seguridad ciudadana en El Salvador* (San Salvador: Talleres Gráficos UCA, 2007), p. 91.

39   Miguel Antonio Alas Sevillano, director of international cooperation within the Department of Humanistic Information at the National Public Security Academy of El Salvador, interview by Edgardo Amaya Cóbar, 2008.

40   Commissioner Augusto Cotto Castañeda, chief of the central region of the National Civilian Police of El Salvador, interview by Edgardo Amaya Cóbar, 2008.

41   Ibid.

42   Interview with a National Civilian Police commissioner, by Edgardo Amaya Cóbar, 2008.

43   Ibid.

44   Ibid.

45   David Morales, Fundación de Estudios para la Aplicación del Derecho (FESPAD), interview by Edgardo Amaya Cóbar, 2008.

46   Interview with a National Civilian Police commissioner, by Edgardo Amaya Cóbar, 2008.

47   Ibid.

48   United Nations Verification Mission in Guatemala (MINUGUA), *The Situation in Central America: Progress in Fashioning a Region of Peace, Freedom, Democracy and Development* (New York: U.N. General Assembly, 58th session, November 10, 2003), p. 10.

49   Lucia Dammert, "Informe Nacional: Guatemala," in *Reporte del sector seguridad en América Latina y el Caribe 2006* (Santiago: FLACSO-Chile, 2006), p. 25.

50   Jorge Alvarado Pisani and Ligia Gutiérrez Rodríguez, *Experiencia de la Policía Nacional Civil de Guatemala en la convocatoria y en la selección de recursos humanos, 2004–2007* (Guatemala City: Programa de Apoyo al Proceso de Paz y Conciliación Nacional, November 2007), p. 27.

51   Dammert, "Informe Nacional: Guatemala," p. 25.

52   Verónica Godoy, executive director of the Instancia de Monitoreo y Apoyo de la Seguridad Pública (IMASP), interview by Adriana Beltrán, 2008.

53   José Antonio Kupczeweski, representative of the Narcotics Affairs Section–Law Enforcement Development (NAS-LED) program of the U.S. Embassy in Guatemala, interview by Verónica Godoy, 2008.

54   Mariano Gálvez University offers a degree in police administration and bachelor's, master's, and doctoral degrees (as well as a technical certificate) in criminology. Rafael Landívar University offers a technical certificate in criminology, and Galileo University offers a degree in private security, a bachelor's degree in comprehensive security administration, and a master's in public security.

55   When the PNC was formed, an "academic hour" was established to provide continuing education to police, but this practice fell out of use when the Spanish Civil Guard pulled out.

56   Given that the new system is in its infancy, the information and analysis gathered are based on the old education system. The old system was under the DGEP, which no longer exists within the new system. The former Police Instruction Center, which was in charge of the education of low-ranking police officers, investigators, and penitentiary police, was absorbed by the Police Technological Institute. By the same token, the Subofficials School will absorb the older Higher Institute for Police Education (ISEP).

57   Observatorio Centroamericano sobre la Violencia, "Total de efectivos policiales en los países de Centroamérica y el Caribe," December 31, 2007, http://www.ocavi.com/docs_files/file_403.pdf.

58   Lucia Dammert, "Informe Nacional: Nicaragua," in *Reporte del sector seguridad en América Latina y el Caribe 2006* (Santiago: FLACSO-Chile, 2006), p. 45.

59   Raúl Fajardo, Eva Sacasa Gurdián, Alba Lila Gaitán Jara, and Róger Cruz, *Apoyo sueco a la Policía Nacional de Nicaragua, 2002–2005* (Stockholm: Swedish International Development Cooperation Agency, 2005), p. 70.

60   "Entrevista con la Primera Comisionada Aminta Granera, Directora General de la Policía Nacional," *Sin Fronteras*, February 18, 2009, p. 4.

61   Dammert, "Informe Nacional: Nicaragua," p. 45.

62   Fajardo et al., *Apoyo sueco a la Policía Nacional de Nicaragua*, p. 28.

63   Ibid.

64   The National Civilian Police is organized based on the following hierarchy: basic level (agent, corporal, sergeant), executive level (subinspector, inspector, chief inspector), and superior level (subcommissioner, commissioner, and commissioner general).

65   Arévalo, *Estado de control interno de la policía en El Salvador*, p. 17.

66   The accused include Avelanda Echeverría, who is reported to have been charged with sexual harassment on five occasions; Arriza Chicas, who is accused of defrauding the judicial system; Gabriel Mayorga, who, according to various agents, has been questioned by the attorney general for mismanagement of public funds and subpar performance within the Homicides Division (DIHO); and Godofredo Miranda, who is under investigation for concealment and for defrauding the judicial system in the case of Katya Miranda. For more information, see "Policías de nivel básico critican ascensos en la PNC," *Diario Colatino*, November 13, 2008.

67   Interview with a National Civilian Police commissioner, by Edgardo Amaya Cóbar, 2008.

68   Fundación de Estudios para la Aplicación del Derecho (FESPAD), *Estado de la seguridad pública y la justicia penal en El Salvador, 2004* (San Salvador, 2004), p. 23.

69   The Police Law defines the hierarchy as: Basic Level (Agente, Subinspector, Inspector), Mid Level (Oficial III, Oficial II, Oficial I), High Level (Subcomisario, Comisario, Comisario General), and Director Level (Subdirectores Generales, Director General).

70   Verónica Godoy, executive director of the Instancia de Monitoreo y Apoyo de la Seguridad Pública (IMASP), personal communication with Adriana Beltrán, 2009.

71   Equipo de investigación de elPeriódico, "PNC bajo la bota militar," *elPeriódico*, November 14, 2006.

72   Leonardo Cereser Aguirre, "PDH inspecciona dependencias de PNC por denuncias de sobornos," *Prensa Libre*, September 10, 2008.

73   Ibid.

74   According to the new law, the National Police has the following hierarchy: Administrative Support Level (Técnico de Servicio, Técnico de Apoyo, Profesional Universitario), Cadet Level (Aspirante a Cadete, Cadete, Alférez), Basic Level (Aspirante a Policía, Agente de Policía, Policial Clase I, II, II, Suboficial I, II, III), Inspector Level (Subinspector, Inspector y Subcomisario), Executive Level (Comisario, Subcomisionado y Comisionado) y Director Level (Comisionado General y Director General).

75   According to the legal framework, the National Police hierarchy comprises the following ranks: Recruit Level (Alumnos y Cadetes), Executive Level (Suboficial Policial, Suboficial Mayor y Subinspector), and three high-level categories, Officers (Inspector, Teniente y Capitán); Superior Officers (Subcomisionado, Comisionado y Comisionado Mayor); and General Officers (Comisionado General y Primer Comisionado). Dammert, "Informe Nacional: Nicaragua," p. 44.

76   Spence, *War and Peace in Central America*, p. 66.

77   Roberto Orozco, "Informe de gestión seguridad pública," in *Cuarto informe de gestión del sector política exterior, seguridad pública y defensa, enero–junio 2008* (Managua: Instituto de Estudios Estratégicos y Políticas Públicas, 2008), p. 59.

78   Ibid., p. 47.

79   Ibid., p. 49.

80   Roberto Orozco, "Informe de gestión seguridad pública," in *Segundo informe de gestión del sector política exterior, seguridad pública y defensa* (Managua: Instituto de Estudios Estratégicos y Políticas Públicas, 2007), p. 30.

81   Rico and Chinchilla, *Las reformas policiales en América Latina*, p. 76.

82   Rachel Neild, *Sustaining Reform: Democratic Policing in Central America* (Washington, DC: Washington Office on Latin America, 2002), p. 5.

83   Ibid., p. 6. Within the massive vetting process, subcommissioners and supervisors were not simply asked to provide a list of "vettable" officers. They were also informed that they would be responsible for any future incidents that occurred within their units. This notification led many supervisors and other commanders to provide extensive lists based on little evidence.

84   Edgardo Amaya Cóbar, "Quince años de reforma policial en El Salvador: Avances y desafíos," *Urvio: Revista Latinoamericana de Seguridad Ciudadana*, no. 2 (September 2007), p. 136.

85   Ibid.

86   Edgardo Amaya Cóbar, personal communication with Adriana Beltrán, 2008.

87   Asamblea Legislativa, "Ley Orgánica de la Policía Nacional de El Salvador, Decreto 653," San Salvador, December 6, 2001.

88   Francisco Orlando Prada Batres, president of the Metropolitan Disciplinary Tribunal of the National Civilian Police of El Salvador, interview by Edgardo Amaya Cóbar, 2008.

89   Romeo Melara Granillo, inspector general of the National Civilian Police of El Salvador, interview by Edgardo Amaya Cóbar, 2008.

90   Oscar Kattan, congressman with the Partido Cambio Democrático and director of the Congressional Committee on Public Security, interview by Edgardo Amaya Cóbar, 2008.

91   Romeo Melara Granillo, inspector general of the National Civilian Police of El Salvador, interview by Edgardo Amaya Cóbar, 2008.

92   Enrique Carranza, "La Policía destituyó a 148 agentes en 2008," http://www.elsalvador.com, December 23, 2008.

93   Ibid.

94   Procuraduría para la Defensa de los Derechos Humanos, *Violaciones a los derechos humanos por responsabilidad de la Policía Nacional Civil de El Salvador* (San Salvador, July 2007), p. 6.

95   Ibid., p. 123.

96   David Morales, Fundación de Estudios para la Aplicación del Derecho (FESPAD), interview by Edgardo Amaya Cóbar, 2008.

97   Procuraduría para la Defensa de los Derechos Humanos, *Violaciones a los derechos humanos*, p. 14.

98   Ibid. p. 6.

99   For more information, see Byrne, Stanley, and Garst, *Rescuing Police Reform*, and Neild, *Sustaining Reform*.

100 Equipo de Investigación, "Una PNC que recibe órdenes de militares," *elPeriódico*, November 14, 2006.

101 MINUGUA, *Situation in Central America*, p. 10.

102 United Nations Human Rights Council, *Civil and Political Rights, Including the Questions of Disappearences and Summary Executions: Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston* (New York: U.N. United Nations Human Rights Council, February 19, 2007), p. 2.

103 Ibid, p. 10.

104 Asociación de Investigación y Estudios Sociales, *Proceso de fortalecimiento del sistema de justicia: Avances y debilidades* (Guatemala City, November 2006), p. 91.

105 Among those implicated were two mid-level officials from the Criminal Investigations Division (DINC) of the police and the chief of the anti–organized crime section.

106 Neild, *Sustaining Reform*, p. 8.

107 Rivera, "Sistematización de datos," p. 28.

108 Mark Ungar, "Honduras," in *Policing Democracy: Overcoming Obstacles to Citizen Security in Latin America*, (Washington DC: Woodrow Wilson Center International Center for Scholars, forthcoming).

109 Venancio Martínez, commissioner of the National Police of Honduras, chief of Internal Affairs Unit, interview by Reina Auxiliadora Rivera, 2008.

110 Maria Luisa Borjas, former director of the Internal Affairs Unit of the National Police of Honduras, interview by Adriana Beltrán, 2008.

111 Comisionado Nacional de Derechos Humanos de Honduras, *Informe especial sobre muertes violentas de niños, niñas y adolescentes en Honduras* (Tegucigalpa, January 21, 2002), p. 15.

112 Universidad Nacional Autónoma de Honduras, Instituto Universitario en Democracia, Paz y Seguridad (IUDPAS), Observatorio de la Violencia, Boletín no. 9, pp. 2–3.

113 Rivera, "Sistematización de datos," p. 35.

114 Centro Nicaragüense de Derechos Humanos (CENIDH), Alianza de Centros de Mujeres, Red de Mujeres Contra la Violencia, Federación Coordinadora Nicaragüense de Organismos No Gubernamentales que trabaja con la Niñez y la Adolescencia (CODENI) y la Organización Mundial Contra la Tortura (OMCT), *Violaciones de los Derechos Humanos en Nicaragua: Informe Presentado al Comité de Derechos Humanos Nicaragua* (Managua, October 2008), p. 29.

115 Ibid, p. 29.

116 Instituto de Estudios Estratégicos y Políticas Públicas, "Informe de gestión seguridad pública," en *Primer informe de gestión del sector defensa, seguridad pública y política exterior, enero–abril 2007* (Managua: Instituto de Estudios Estratégicos y Políticas Públicas, 2007), p. 27.

117 Ibid., p. 22.

118 Roberto Orozco, "Informe de gestión seguridad pública," en *Cuarto informe de gestión*, p. 57.

119 Ibid.

120 Instituto de Estudios Estratégicos y Políticas Públicas, "Informe de gestión seguridad pública," en *Primer informe de gestión*, p. 22.

121 Rachel Neild, "External Controls," in *Themes and Debates in Public Security Reform: A Manual for Civil Society* (Washington, DC: Washington Office on Latin America, 2000), p. 1.

122 Then–minister of public security Hugo Barrera sought to manipulate the National Police in terms of police deployment and the development of the different functional divisions (specifically those in charge of police investigation). He also sought to establish parallel and irregular investigative and intelligence structures, composed principally of personnel from the old security forces. Gino Costa, *La Policía Nacional Civil de El Salvador (1990–1997)* (San Salvador: UCA Editores, 1999), pp. 219–21.

123 Amaya Cóbar, "Quince años de reforma policial en El Salvador," p. 134.

124 Costa, *La Policía Nacional Civil de El Salvador*, p. 221.

125 Fundación de Estudios para la Aplicación del Derecho (FESPAD)/Centro de Estudios Penales de El Salvador (CEPES), *Estado de la seguridad pública y la justicia penal en El Salvador, julio 2002–diciembre 2003*, p. 37.

126 Amaya Cóbar, "Quince años de reforma policial en El Salvador," p. 137.

127 Astor Escalante, vice minister of public security and justice in El Salvador, and Ministry advisers, interview by Edgardo Amaya Cóbar, 2008.

128 Ibid.

129 Olga López Ovando, "Consejo Asesor de Seguridad se va con las manos vacías," *Prensa Libre*, April 28, 2008.

130 Ibid.

131 Julieta Castellanos, director of the Central American Violence Observatory, interview by Adriana Beltrán, 2008.

132 Lucia Dammert, "Informe Nacional: Nicaragua," p. 47.

133 The divisions include Ports and Airports; Borders; Finance; Transportation; INTERPOL; Technical-Scientific Police (Policía Técnico-Científica), in charge of conducting the technical and scientific analysis of evidence; Criminal Investigations (División de Investigación Criminal, DIC), responsible for investigating common crimes; and the Homicides Division (División de Investigación de Homicidios, DIHO), which investigates homicides and extortions carried out by organized criminal structures. The Criminal Investigations Division has regional offices throughout the country. The PNC also has specialized units under the direction of the deputy director, including the Elite Division against Organized Crime (División Elite contra el Crimen Organizado, DECO), which investigates all cases related to organized crime, particularly kidnappings; the Special Antinarcotics Division; and the Anticorruption Task Force (Fuerza de Tarea Anticorrupción), which is temporary.

134 For more information, see Edgardo Amaya Cóbar and Oswaldo Ernesto Feusier Ayala, *Relación entre la Fiscalía General de la República y la Policía Nacional Civil en el marco de la investigación criminal* (San Salvador: Fundación de Estudios para la Aplicación del Derecho/Centro de Estudios Penales de El Salvador, 2005).

135 Comisión Nacional para la Seguridad Ciudadana y la Paz Social, *Seguridad y paz, un reto de país*, p. 29.

136 Ibid.

137 José Miguel Cruz and María Santacruz Giralt, *La victimización y la percepción de seguridad en El Salvador 2004* (San Salvador: Instituto Universitario de Opinión Pública, 2004), p. 4.

138 Amaya Cóbar and Feusier Ayala, *Relación entre la Fiscalía General de la República y la Policía Nacional Civil*, p. 41.

139 Sidney Blanco Reyes and Francisco Díaz Rodríguez, *Deficiencias policiales, fiscales o judiciales en la investigación y juzgamiento causantes de impunidad* (San Salvador: United Nations Development Programme, June 2007), p. 34.

140 Commissioner Mauricio Ramírez Landaverde, Director of criminal investigations of the National Civilian Police of El Salvador, interview by Edgardo Amaya Cóbar, 2008.

141 Ibid.

142 Blanco Reyes and Díaz Rodríguez, *Deficiencias policiales, fiscales o judiciales*, p. 62.

143 Commissioner Mauricio Ramírez Landaverde, Director of criminal investigations of the National Civilian Police of El Salvador, interview by Edgardo Amaya Cóbar, 2008.

144 Carlos López, Violence Monitoring and Evaluation Project, interview by Edgardo Amaya Cóbar, 2008.

145 Comisión Nacional para la Seguridad Ciudadana y la Paz Social, *Seguridad y paz, un reto de país*, p. 88.

146 Ibid., p. 36.

147 Astor Escalante, vice minister of public security and justice in El Salvador, interview by Edgardo Amaya Cóbar, 2008.

148 Asociación de Investigación y Estudios Sociales, *Proceso de fortalecimiento del sistema de justicia: Avances y debilidades*, p. 94.

149 Javier Monterroso Castillo, *Investigación criminal: Estudio comparativo y propuesta de un modelo de policía de investigación en Guatemala* (Guatemala City: Instituto de Estudios Comparados en Ciencias Penales de Guatemala, 2007), p. 86.

150 Coralia Orantes, "Buscan desaparecer la DINC," *Prensa Libre*, September 22, 2008.

151 Asociación de Investigación y Estudios Sociales, *Proceso de fortalecimiento del sistema de justicia*, p. 95.

152 Ibid.

153 Monterroso Castillo, *Investigación criminal*, p. 94.

154 Eric Scheye, *Reflections on Community-Based Policing Programming in Guatemala* (Washington, DC: U.S. Agency for International Development, April 2005), p. 8.

155 Javier Monterroso Castillo, *Investigación criminal: Estudio comparativo y propuesta de un modelo de policía de investigación en Guatemala* (Guatemala City: Instituto de Estudios Comparados en Ciencias Penales de Guatemala, 2007), p. 101.

156 Fundación Myrna Mack, *Análisis de las iniciativas de ley en materia de investigación criminal* (Guatemala City, September 2008), p. 1.

157 Monterroso Castillo, *Investigación criminal*, p. 100.

158 Ibid.

159 United Nations High Commissioner for Human Rights, "Informe de la Alta Comisionada de las Naciones Unidas para los Derechos Humanos y seguimiento de la conferencia mundial de derechos humanos," annex 1, "Informe de la Alta Comisionada de las Naciones Unidas para los Derechos Humanos sobre las actividades de su oficina en Guatemala," A/HRC/7/38/Add.1, January 29, 2008, p. 12.

160 Under the 2008 Organic Law of the National Police, the DGIC became the National Division for Criminal Investigations (Dirección Nacional de Investigación Criminal, DNIC).

161 The Honduran criminal investigation system is not fully centralized. According to many experts, this has led to conflicts over resources and the duplication of functions. Other entities that conduct investigative duties include the Division of Special Investigative Services of the National Police (Dirección de Servicios Especiales de Investigación, DGSEI), charged with investigating cases of contraband, embezzlement, tax evasion, money laundering, organized crime, arms trafficking, kidnappings, and drug trafficking, and the Division against Drug Trafficking within the Public Prosecutor's Office, among others.

162 Santiago Caballero Mendaña, *Asistencia técnica a la Secretaría de Seguridad, a la Corte Suprema y al Ministerio Público para sentar las bases para el diseño de una política nacional de seguridad ciudadana: Informe Final* (European Commission, September 2007), p. 74.

163 Ibid**.**

164 When the reforms began in 1995, the criminal investigations division of the police (known at that time as Dirección de Investigación Criminal, DIC) was under the control of the recently established Public Ministry. The DIC was replaced by the General Directorate for Criminal Investigation (Dirección General de Investigación Criminal, DGIC) during the reforms of 1998. The DGIC was technically under the Public Ministry but hierarchically and administratively under the control of the security minister. According to analysts, this change was the result of political wrangling as well as discontent on the part of the upper echelons of the security forces, who were implicated in the early investigations of the DIC.

165 Those interviewed mentioned the prosecutor who receives the complaint, the prosecutor responsible for assigning the case, and the auxiliary prosecutor who receives the case after 24 hours and is responsible for initiating the investigation proceedings.

166 Caballero Mendaña, *Asistencia técnica*, pp. 57–58.

167 To qualify, the applicant must be between 18 and 24 years old, have at least a high school education, and pass a series of exams, including psychological and medical tests.

168 Hugo Frühling E., ed., *Calles más seguras: Estudio de policía comunitaria en América Latina* (Washington, DC: Inter-American Development Bank, 2005), p. 11.

169 Neild, *Sustaining Reform*, p. 16.

170 Ibid., p. 17.

171 Jeannette Aguilar, "El Manodurismo y las 'políticas' de seguridad," Comunidade Segura, March 24, 2004, http://www.comunidadesegura.org/es/node/10239.

172 Ibid.

173 Interview with a National Civilian Police commissioner, by Edgardo Amaya Cóbar, 2008.

174 Ibid.

175 Ibid.

176 David Morales, Fundación de Estudios para la Aplicación del Derecho (FESPAD), interview by Edgardo Amaya Cóbar, 2008.

177 Commissioner Augusto Cotto, director of the Central Region of the National Civilian Police of El Salvador, interview by Edgardo Amaya Cóbar, 2008.

178 The six divisions are the Prevention Division, Children's Division, Multicultural Division, Gender Equity Division, Community Relations Division, and Division on Culture and Sports.

179 Ministerio de Gobernación de Guatemala, "Juntas Locales de Seguridad," Ministerio de Gobernación, http://www.mingob.gob.gt/juntasContenido.html.

180 Leonardo Cereser Aguirre, "Muertos tenían antecedentes," *Prensa Libre*, February 15, 2008.

181 Scheye, *Reflections on Community-Based Policing*, p. 9.

182 Javier Monterroso Castillo, Experiences in prevention and combating youth violence and crime in the Municipality of Villa Nueva, Guatemala, (San Salvador: Coalición Centroamericana para la Prevención de la Violencia Juvenil, 2009), p. 42.

183 Ibid., p. 39.

184 Mario Mérida, retired military officer and independent consultant, interview by Verónica Godoy, 2008.

185 Leonardo Cereser Aguirre, "Apoyo Comunitario sigue sin responsable," *Prensa Libre*, February 17, 2009.

186 For more information see Neild, *Sustaining Reform*.

187 Ungar, "Honduras," p. 58.

188 Ibid., p. 59.

189 Ibid.

190 Carlos Chinchilla, former subcommissioner and former director of Comunidad Más Segura, interview by Adriana Beltrán, 2008.

191 Ibid.

192 Bihler, Butler, and Richards, *A Story that Deserves to be Told*, pp. 16–17, 22.

193 Ibid., p. 23.

194 Policía Nacional, "Política policial preventiva de Nicaragua" (Managua, October 2002), pp. 4–5, 9, 21.

195 Roberto Orozco, "Informe de gestión seguridad pública," in *Tercer informe de gestión del sector política exterior, seguridad pública y defensa, septiembre-diciembre 2007* (Managua: Instituto de Estudios Estratégicos y Políticas Públicas, 2007), p. 45.

196 Ibid., p. 45.

197 Ibid.

198 Comando Mayor Guillermo Cantarero, "Reseña histórica de la relación policía-comunidad," Boletín de Comunicación Interna no. 2 (Managua: Policía Nacional, August 2007), pp. 17–18.

199 Comisionado Mayor Francisco Diaz Madriz, "Exposición policía-comunidad," PowerPoint, Managua, February 2007, p. 20.

200 Charles T. Call, *Sustainable Development in Central America: The Challenges of Violence, Injustice, and Insecurity* (Hamburg: Institut für Iberoamerika-Kunde, 2000), p. 63.

201 Inter-American Development Bank, "Estudio Comparado Policías Países: Guatemala, Honduras, Panamá, Nicaragua y República Dominicana," PowerPoint (Washington, DC, May 2005), pp. 28–29.

202 Wendy Quintero Chávez, "Comités de prevención social del delito, piedra angular de la seguridad ciudadana," *Visión Policial: Revista de la Policía Nacional* (National Police of Nicaragua, 9th year, no. 71, October 2007), pp. 20–21.

Abbreviations

EL SALVADOR
ANSP *Academia Nacional de Seguridad Pública* | National Public Security Academy
CNSP *Consejo Nacional de Seguridad Pública* | National Public Security Council
FESPAD *Fundación de Estudios para la Aplicación del Derecho* | Foundation for Applied Legal Studies
FMLN *Frente Farabundo Martí para la Liberación Nacional* | Farabundo Martí National Liberation Front
IG *Inspectoría General* | Inspector General's Office
PDDH *Procuraduría para la Defensa de los Derechos Humanos* | Human Rights Ombudsman's Office
PIPCOM *Patrullas de Intervención Policial Comunitaria* | Community-Oriented Police Patrol Program
PNC *Policía Nacional Civil* | National Civilian Police
UVEA *Unidad de Verificación de Antecedentes* | Background Verification Unit

GUATEMALA
APNC *Academia de la Policía Nacional Civil* | National Civilian Police Academy
CAS *Consejo Asesor de Seguridad* | Security Advisory Council
DICRI *Dirección de Investigación Criminalística* | Directorate of Criminal Investigation
DINC *División de Investigación Criminal* | Criminal Investigation Division
IG *Inspectoría General* | Inspector General's Office
MINUGUA United Nations Verification Mission in Guatemala
ORP *Oficina de Responsabilidad Profesional* | Office of Professional Responsibility
PNC *Policía Nacional Civil* | National Civilian Police
SGIC *Subdirección General de Investigación Criminal* | General Subdirectorate of Criminal Investigation
SIC *Servicio de Investigación Criminal* | Criminal Investigation Service
UVA *Unidad de Verificación de Antecedentes* | Background Verification Unit

HONDURAS
CONASIN *Consejo Nacional para la Seguridad Interior* | National Council for Internal Security
DGEP *Dirección General de Educación Policial* | General Directorate of Police Education
DGIC *Dirección General de Investigación Criminal* | General Directorate of Criminal Investigation
DIC *Departamento de Investigación Criminal* | Department of Criminal Investigations
PN *Policía Nacional* | National Police
UAI *Unidad de Asuntos Internos* | Internal Affairs Unit

NICARAGUA
CENIDH *Centro Nicaragüense de Derechos Humanos* | Nicaraguan Human Rights Center
CPSD *Comités de Prevención Social del Delito* | Committees for the Social Prevention of Crime
FSLN *Frente Sandinista de Liberación Nacional* | Sandinista National Liberation Front
PN *Policía Nacional* | National Police

GENERAL
FLACSO *Facultad Latinoamericana de Ciencias Sociales* | Latin American Social Sciences Faculty
IDB Inter-American Development Bank
SIDA Swedish International Development Cooperation Agency
UNDP United Nations Development Programme
USAID U.S. Agency for International Development
WOLA Washington Office on Latin America

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