



WOLA ■ WASHINGTON OFFICE ON LATIN AMERICA

THEMES AND DEBATES IN PUBLIC SECURITY REFORM

A manual for civil society

Police Recruitment

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Themes and Debates in Public Security Reform Introduction to the Series

The Washington Office on Latin America (WOLA) has monitored police abuse and U.S. and international police assistance since our founding in 1974. Peace processes and political transitions set the stage for efforts to reform public security functions, demilitarize internal security, professionalize police forces and increase democratic accountability for security policies. In El Salvador, Haiti and Guatemala, large-scale reform processes have been undertaken and have received significant support from the United States and the international community. More than any other region, Central America and Haiti have been a testing ground for international assistance for post-conflict security reforms.

As WOLA monitored the evolution of police reform in the region, we became convinced that the long-term consolidation of the police as a professional, effective, and apolitical institution depends on developing greater citizen involvement in and support for public security reforms. Reform processes are taking place in the context of dramatic increases in crime and face constant resistance and challenges from authoritarian sectors. Without a strong domestic constituency for police reform, these processes may founder. To support civil society organizations in the region seeking to engage with issues of citizen security, WOLA launched the “Advocacy Training Program for Police and Judicial Reform” in Central America in 1996 with support from PRODECA.

Themes and Debates in Public Security Reform aims to make the issues of public security reform more accessible to civil society organizations. This series examines selected key aspects of police reform, drawing on lessons from Central America, the United States, and the world. Each section frames the debates on the issues, provides examples of how issues have emerged and been resolved in different contexts, and offers examples of civil society advocacy for police reform. *Themes and Debates* also explores how key actors have affected police reform in various countries, including the role of international donors, national decision-making structures, and civil society. The series includes:

- 1. Police Recruitment**
2. Police Training
3. Internal Controls and Disciplinary Units
4. External Controls
5. Community Policing
6. Criminal Investigations
7. International Police Assistance

“Police Recruitment” was written by WOLA Senior Associate Rachel Neild and edited by Executive Director George Vickers. Thanks to WOLA staff William Spencer, Geoff Thale, Kelly Josh, Hugh Byrne and Rachel Garst for their insights and comments. Special thanks to WOLA intern Stacie Jonas for her research assistance, intern Nick Vaccaro for assisting with proofreading, and Program Assistant Laurie Freeman for editing, proofreading, and producing the series.

WOLA gratefully acknowledges the generous support of both PRODECA and the Ford Foundation, whose funding made this project possible.

POLICE RECRUITMENT

Police recruitment should demonstrate a commitment to democratic policing. That is, recruitment should be guided by criteria designed to produce a police force that is civilian, professional, rights-oriented, effective and honest. In different national contexts, other criteria may also be fundamentally important, such as ensuring representation of indigenous minorities/majorities. This section discusses key issues that have emerged in police recruitment processes during major police reforms and identifies democratic policing criteria for recruitment.

Three issues have dominated discussions of recruitment during police reform processes in Central America and the Caribbean:

1. whether and under what conditions former military personnel may enter the police;
2. difficulties in recruiting qualified civilian police leadership and the role of the former military officers in higher ranking police posts;
3. how standards and processes for recruitment can be structured to reflect different aspirations and priorities for a police force.

1. The Role of Military Personnel

The effort to establish civilian control of internal security functions can be undermined by the incorporation of former military personnel. Incorporating large numbers of personnel from repressive, feared and discredited military forces immediately erodes the credibility of the new police and risks infecting the new force with the repressive practices of the past. These concerns were directly borne out by experiences in Panama.

In **Panama**, the 1989 U.S. intervention created tremendous pressure to replace the Defense Forces of Panama (FDP) and replace it with a new police force. As a result, most members of the FDP were incorporated into the National Police (PN), received a 15 day retraining course and were deployed under a civilian director. This process was accompanied, however, by a process of vetting that removed former top-ranking officials (generals, colonels and lieutenant colonels) by 1990, and then continued to remove other problematic elements over time. The failure to “civilianize” the PN had clear costs: the new force failed to win public confidence, senior PN officers resisted efforts to demilitarize the police, and PN personnel were involved in a coup plot. The second director of the PN, a former officer of the National Guard, was removed in 1990. He was later implicated in a bombing and a failed coup attempt involving several members of the PN. (WOLA 1995)

Police reforms in Central America and Haiti have occurred in the context of dramatic transitions -- military interventions and peace processes -- which created tremendous pressures for rapid change in public order forces. While a main goal of these police reform processes was to demilitarize internal security and establish civilian and accountable forces, the desire to undertake reform that was both rapid and sweeping created pressures to incorporate former

military personnel. Recruiting and training civilian police takes time, and following their deployment, it takes more time before the new police cadets acquire experience and become effective police agents. At the same time, particularly in wake of civil wars, crime is often rising, fueled by large numbers of demobilized and unemployed military personnel, reduced security presence due to demilitarization, and hard times economically as countries adjust to post-war conditions. Governments face tremendous public pressure to act decisively against crime, which leads to proposals to use former military in the new police in order to speed up the reform process and increase the level of experience on the force. These arguments are often found to be persuasive despite the clear danger this poses to the civilian and professional nature sought for the new police force.

In **El Salvador**, the Peace Accords allowed both former National Police (PN) and former combatants from the FMLN (*Frente Farabundo Martí para la Liberación Nacional*) guerrilla movement into the new National Civilian Police (PNC). These two groups could each have 20 percent of the slots, while the remaining 60 percent was to be comprised of new civilian recruits. The Salvadoran government and military repeatedly sought to circumvent this and other restrictions on military personnel going into the PNC. For example, several hundred Treasury Police and army personnel who were ineligible for entry into the PNC were transferred into the PN in early 1992, where they appeared eligible for the PNC. (These individuals were later challenged and removed.) (Costa 1998; WOLA 1994)

While domestic pressures for military incorporation in police forces may continue, depending on national circumstances, the United States' perspective has shifted. In 1995, the Haitian Ambassador to Washington told WOLA that: "We did not even have to argue the point about not incorporating the military into the police; [the United States] had learned the lesson of Panama and El Salvador." (WOLA 1995: 7)

1.1 Interim security

Large-scale police reform in the context of post-intervention periods or peace processes creates a need to confront interim security during the period in which the military is formally restricted to external defense and the new police is created and deployed. This has come to be termed the "interim security gap." Experience to date has shown that the military is generally the only institution with the appropriate capabilities to conduct policing tasks during this interim period. This has raised two questions:

1. How can military forces known for their repressive tactics and long histories of social control campaigns be made to conduct themselves appropriately while they are responsible for interim security tasks? In post-intervention periods and peace processes, the United Nations has deployed human rights monitoring missions and civilian police monitors to accompany the interim police in El Salvador, Haiti, Bosnia and other countries. (See "Police Training.")
2. How can new civilian police forces be insulated from interim security forces? Any "roll-overs" from the interim force into the new police force should be banned or strictly limited. Deployment of the new police should be structured to prevent joint activities or at least clearly distinguish between the two forces so that the new police do not acquire problematic practices from interim forces.

In El Salvador, Haiti and Guatemala, the former police and military forces continued to operate during the reform process creating the new police. In El Salvador, the old *Policía Nacional* continued its work under the supervision of United Nations police monitors. In Guatemala, where the UN presence is more limited, public security is in the hands of mixed patrols which are largely military, though ostensibly under police command.

In **Haiti**, the United States worked with the Haitian government to create an Interim Public Security Force (IPSF). Haitian military personnel were vetted to remove known human rights violators and to select individuals to serve in the IPSF (the vetting process is described in box below). Throughout the year and a half that they were responsible for policing, the IPSF was fearful, ineffective, mistrusted by the population, and reliant on international police monitors. Some U.S. officials argued that IPSF incompetence was a question of morale -- "it's very hard to keep the IPSF motivated when they think they're out of a job" -- and pressed for IPSF members to get preferential treatment going into the new police. ICITAP (the U.S. police assistance program) and the Haitian government held that the IPSF could apply to the National Police on the basis of recommendations from the police monitors but without preferential treatment over civilian candidates. Candidates from the IPSF had to pass the same entrance exams as the civilians. Slots in each class were allotted, but not guaranteed, for IPSF members that would have totaled roughly nine percent. Very few IPSF met recruiting requirements and entered the Haitian National Police (HNP) in this manner. (WOLA 1995, 1997)

In some situations, it may be impossible to use military personnel for policing duties, even on an interim basis. This was the case in the former combat zones of El Salvador, and an interim security presence called the "*Policía Auxiliar Transitorio*" (PAT) was created composed of cadets from the academy and commanded by police officers from ONUSAL (UN Mission in El Salvador). They did not have full police powers, but were well-accepted by the population and successful in providing rudimentary security. The PAT played an important role in paving the way for a favorable response to the PNC as it deployed to the former conflict zones.

1.2 Vetting

Most police reform efforts in the region have included mechanisms to vet corrupt or abusive members from security forces. Vetting takes various forms. In some cases, new police leadership will move to purge the most questionable members of the old forces, as with the periodic "cleansing" of the Guatemalan Directorate of Criminal Investigations. Vetting may also involve the selection of police to participate in training programs or in new forces.

Vetting processes are particularly important when military intelligence or previous security forces are determined to maintain personnel and influence in the police force. Vetting typically has involved selection decisions by the police leadership themselves, followed by either a formal or informal check by international police specialists, sometimes using information from both domestic and international sources. Two key issues have emerged around vetting:

1. The source and accuracy of the information used: The thoroughness of vetting depends on the availability of full and reliable information, as well as the will to act on this information to exclude those accused of illicit activity. Sources of evidence can include official records and personnel files, intelligence files, foreign governmental and non-governmental sources, and national human rights

organizations. What community input may be appropriate in a given context? In the Haitian context, officials stated a desire to obtain community input, Haitian police law allows public outcry (*clameure publique*) as grounds for exclusion, but in practice this was not a dependable method of vetting.

2. The standard of evidence required for exclusion: If the burden of proof is too high, human rights abusers may well enter the new police force; but if it is too low, individuals may be unjustly excluded on the basis of rumor or circumstantial evidence that would not withstand legal scrutiny. In the case of Haiti, human rights organizations pressed for a low standard, arguing that the involvement of the military as an institution in massive abuse was well-established, and that fully documenting individual cases was particularly difficult in the Haitian context.

In Haiti, U.S. officials recognized that vetting of police recruits was needed and undertook a major role themselves, although they were motivated in large part by mistrust of Haitian capabilities and concerns that the Haitian government would favor political allies in their vetting.

In **El Salvador**, vetting was primarily conducted by the Salvadoran government and the United Nations mission ONUSAL. The National Public Security Academy was supposed to receive lists of former military, PN and FMLN personnel to use in screening candidates for the PNC. The government failed to provide complete and timely lists of military personnel, making it difficult to identify personnel who had been transferred into the PN from the army or from the demobilizing National Guard or Treasury Police. Personnel

Vetting the Haitian Interim Public Security Force

The Aristide government created a commission of five Fad'H (Haitian armed forces, or *Forces Armées d'Haiti*) colonels to conduct preliminary vetting. The Commission was poorly planned and staffed. Some Commission members had been out of the country and had limited knowledge of recent events. One member was himself implicated in human rights abuse. The head of the Commission asserted that every soldier's record was reviewed, including through local inquiries, but could not describe the investigation process. Another member's lists apparently focused on personal enemies. The Commission passed its findings to the U.S. Embassy.

U.S. Embassy officials revised the Commission lists using information gathered by an informal inter-agency committee from the records of the Defense Intelligence Agency, the Drug Enforcement Administration, the Central Intelligence Agency and the UN/OAS International Civilian Mission (MICIVIH) that had been observing human rights conditions in Haiti since March 1993. The Embassy's screening focused almost entirely on the officer corps and removed less than one percent of the 2,800 names received. The U.S. Embassy made the final selection.

A high-ranking Haitian official said that "We believe that quite a few [human rights violators] got through who should not have" and that the colonels' Commission "chose the people they wanted to protect." The head of MICIVIH noted that: "Having no information on someone simply

records from the PN arrived late and were often illegible, thus blocking effective screening of former PN personnel. No mechanisms existed for screening former FMLN personnel with regard to their backgrounds or respect for humanitarian law during the civil war. While the Academy had a list of FMLN combatants, some speculated that it excluded numerous political cadre. This led to later accusations that the PNC included a higher than authorized percentage of ex-FMLN combatants. In practice, the FMLN was unable to fill its official quota because few of its combatants met the educational and physical stature requirements. The government presented a number of unqualified military officers as candidates to enter the PNC; it also transferred into the PNC two specialized, military-controlled anti-crime units, the Executive Antinarcotics Unit (UEA), and the Special Investigative Unit (CIHD), into the PNC, as intact units, with essentially no retraining or vetting. This was done with the ill-advised consent of the FMLN, and with the support of the U.S. Embassy, against ONUSAL's advice. Subsequent pressure by ONUSAL resulted in a government decision to require these units to undergo retraining, at which point the majority of their members resigned from the PNC. Many of

the most serious subsequent problems in the PNC originated with this unit. (Costa 1998; WOLA 1994; WOLA and HI 1996)

2. Recruiting Police Leadership

Leadership is key to the character and effectiveness of any institution. Whatever the quality of the governing laws and internal regulations, the tone and comportment of an institution is molded on a daily basis by its leaders. Developing effective civilian leadership has proven a hard task in most police reform processes to date. Poor leadership or the lack of leadership has a rapid negative impact on the morale and effectiveness of the entire institution.

In **Haiti**, newly trained police agents were deployed before police commanders had even been recruited. The lack of guidance and support, combined with extremely primitive work conditions, had a disastrous effect on morale. A private study conducted six months after the first deployments found that as many as two-thirds of all HNP agents planned to quit the force at the end of their three-year contracts, citing lack of leadership and improper behavior by leaders as the prime reasons for their disenchantment. There were many examples of agents deserting their posts and returning to Port-au-Prince, and of shootings and other human rights violations attributable, in part, to inexperienced and leaderless agents panicking and using deadly force in difficult situations, typically involving crowd control. (WOLA 1997)

Police forces in different countries tend to follow one of two leadership structures: promotion of police commanders through the ranks of the force based on seniority, experience and demonstrated abilities; or a distinct career track for more senior command positions with separate recruitment, higher entrance standards, and higher-level and longer training, sometimes at a different police academy. By either process, development of leadership requires ample time, measured in years.

2.1 The difficulties of developing professional civilian police leadership

Even in countries with a strong commitment at top levels of government and from international donors to building an entirely civilian police force, the process of building civilian leadership can pose tremendous problems.

Haiti has no history of civilian law enforcement and a very limited pool of qualified applicants for command positions in the HNP despite massive unemployment and high salary levels by national standards.¹ Haitian observers speculated that even these salary levels would not attract candidates with the required educational qualifications and skills in leadership, administration and management, as such individuals would prefer business careers. To Haitians with higher levels of education and skills, the prospect of a career in law enforcement -- with no historical precedent other than the socially unprestigious military career in forces that had always been politically dominated and motivated -- was stigmatized by the perceived likelihood of partisanship, danger and corruption. (WOLA 1995)

Unfortunately, recruiting police leadership internally by promotions through the ranks is also deeply problematic during large-scale reform processes. In situations where an old force is being reformed and/or enlarged, the leadership -- often corrupt, authoritarian, and politicized -- is

the most problematic aspect. An institutional analysis will have to try to determine whether these problems have infected lower command levels or whether, with a good screening process, qualified mid-level officers can be identified and promoted.

In situations where reforms are creating an entirely new police force, senior-level commanders must be found outside the new institution and given appropriate training. Lower-level officers may still be promoted through the ranks if there are mechanisms for identifying the most promising cadets at the academy and in the field through credible performance reviews and competitive exams.

In **Haiti**, international donors made efforts to identify outstanding cadets at the police academy and give them additional leadership training to fill lower-level command positions. According to some international observers, these were the only effective leaders in the force. Others noted that it is hard for a cadet promoted above his Academy peers to establish so rapidly the necessary authority and hierarchy to be an effective supervisor. (Neild 1996)

2.2 Pressure to recruit former military personnel for police command posts

The need for effective and experienced leadership creates pressures to recruit former military personnel. The recruitment of former military officers to serve in command positions in police forces has been one of the most sensitive debates of the post-conflict police reform processes in Central America and Haiti. Where laws establish that police commanders are to be recruited through the ranks, using former military personnel to fill mid-level appointments raises the prospect that they will later dominate the most senior positions as they continue to rise through the ranks of the police.

In **El Salvador**, civilian PNC officers lacked command experience compared with ex-military or ex-FMLN officers. The need for experience in general, and in particular in the dangerous and violent context of post-war El Salvador, led the PNC directorate and the Public Security Ministry to favor operational experience over long-run leadership potential. Yet unless civilians gain proportionate access to senior commands, they will always be one step behind their ex-military or ex-guerrilla colleagues in terms of command experience. The potential result is that officers who are ex-combatants retain top positions in the police from which they may impose a military stamp on the institution, to the detriment of the PNC's performance. One particularly clear example of the problem of turning to military personnel for police leadership was the appointment of former army Captain Oscar Peña Duran as sub-director for operations of the PNC. Peña was selected, with U.S. Embassy support, when there were no obvious civilian candidates with relevant experience. He immediately militarized and politicized the PNC, broke institutional relations between the PNC and ONUSAL, and produced an immediate worsening in the human rights conduct of the new police. He eventually resigned under international pressure and was replaced by civilian leaders who have performed effectively notwithstanding occasional missteps. (WOLA and HI 1996)

In **Haiti**, where there was no civilian experience of law enforcement, the Haitian government looked to the military officers serving in the IPSF in order to develop a police command structure rapidly. UN police monitors who were working with the IPSF and the new HNP as they deployed recommended using selected IPSF officers after

observing the leadership crisis in the HNP and its damaging effect on morale. This position did not tally with that of U.S. officials who expressed concerns about IPSF incorporation and had misgivings about the consistency and thoroughness of CivPol (Civilian Police Mission in Haiti) vetting. But as in El Salvador, short-term expediency may result in militarizing the culture of the HNP as these officers are promoted through the ranks. (WOLA 1996)

In **Guatemala**, the 1997 police law stipulates that new recruits enter the police force only as agents or low-level officers, ensuring that all mid- and high-level commanders will be drawn from the old National Police (a force that is reportedly one of the most corrupt and poorly prepared of the region) until such time that the academy can train and promote others to take their places. (WOLA 1997)

2.3 Standards for recruitment of former military for police leadership

If it is not possible to exclude former military officers from the recruitment pool for police commanders, the following principles should govern their recruitment:

1. Incorporation should only be done on an individual basis. Units, classes of officers, or specialized groups of any kind must not be transferred intact into the new force.
2. Military officers should be required to pass the same recruitment criteria and procedures used for recruitment of civilians.
3. Any military officers accepted should undergo a particularly rigorous screening process to assure that they never violated human rights.
4. All military personnel should receive thorough training with a particular emphasis on civilian police techniques and practices and rights guarantees.

These processes are necessary to assure that military personnel are committed to and fully indoctrinated with the values of civilian and accountable policing. Such processes also serve another purpose: to promote smooth and effective assimilation of military personnel with civilian leadership and civilian cadets working under their orders.

In **Haiti**, the announcements that the IPSF was to be incorporated caused tensions with HNP agents who, having gone through rigorous recruitment procedures and academy training, resented the “fast track” they felt was being offered to former military officers. (WOLA 1996)

In practice, in both El Salvador and Haiti, few military officers met the educational requirements, and some had difficulty passing the entrance examinations. In Haiti, the pass-rate for former military and civilian university graduates was almost equal and very low in both cases.

In **El Salvador**, virtually none of the officers in the PNC who originated in the armed forces or security forces actually met the university-level educational requirements set out in the enabling legislation for the PNC; most were graduates of either the military academy or the old military-controlled public security academy. In exchange for accepting these irregularities, the FMLN was also allowed to present a number of candidates who did not meet formal requirements. (WOLA and HI 1996)

2.4 Civilians can perform as well or better than military as police commanders

In selecting criteria for recruiting police leadership, there is an ongoing debate about the relative importance of political issues versus technical criteria. While arguments about technical criteria have generally prioritized individuals with experience in security work -- experience which has typically favored military incorporation as described above -- some evidence indicates that civilian police commanders perform better than former military.

In **El Salvador**, ONUSAL evaluations of the PNC in 1994 and 1995 found that some of the best-run delegations and sub-delegations were commanded by civilians. There certainly did not appear to be any pattern of superior performance by military or ex-FMLN officers. The most credible investigations unit in the entire force, the DIC (Special Criminal Investigations Unit), is made up entirely of civilians and commanded by a civilian officer. Moreover, there is good reason to believe that in the long run, civilian officers in the PNC have the greatest potential to be effective in a force that stresses community service, positive relations with the public, correct and legal procedures, and investigations. With very few exceptions, the civilians in the PNC are better educated. (WOLA and HI 1996)

The original reason for requiring high levels of university education for PNC officers was that they would have a broader and more humane understanding of society and its complexities than people who either lacked education or were schooled only in national security doctrine and military skills. In a police force where the most frequently documented problems involve failures to follow procedure, poor or absent investigative skills, poor community relations, and an excessive tendency to resort to force, the superior education of civilian officers should give them important advantages.

3. Police Recruitment Standards and Processes

Police recruitment for a large-scale reform effort is a huge process posing a number of difficulties in designing appropriate standards, assuring efficient logistical administration and fair and accountable decision-making. Large-scale police recruitment efforts frequently present overwhelming challenges to the responsible authorities. In Washington, DC, when the police force was increased by 1,000, recruits were accepted who later proved to be dismally unqualified, including individuals with criminal records or who were nearly functionally illiterate. In Haiti and Central America, recruitment standards and criteria have often been adapted in response to issues or problems that emerge as the new force becomes operational, sometimes to the detriment of professional standards.

In Central America and Haiti, international donors have worked with police representatives and officials from the national ministry with authority over the police to design standards, criteria and processes. Full responsibility for police recruitment has been transferred entirely to national authorities once the processes are well established.

In **Haiti**, when recruitment began in 1994, the recruitment teams were composed of 10 Ministry of Justice officials and 10 representatives of ICITAP. In March 1995, an entirely Haitian team from the Ministry of Justice took over, with ongoing support from ICITAP and French experts. Final selection decisions were made by a selection committee of 3 Haitian Justice Ministry officials and an ICITAP doctor. (WOLA 1995)

3. 1 Recruitment requirements and processes

Recruitment requirements should typically include: medical and physical examinations; educational tests; aptitude tests including psychological components; and a background check.

The Recruitment Process for the Haitian National Police

Requirements and Documents

All applicants must be Haitian citizens between the ages of 18 and 40. On application, they are required to present 2 passport photographs, birth certificate or baptismal record, and their school records.

Process

1. **Registration:** Initial registration was conducted by Departmental delegates who informed applicants of when and where they must appear for recruitment tests, and what identification was required. In order to assure randomness in the selection process, recruiters examined candidates in the order of their date of birth.
2. **Mini-medical:** A basic physical examination including an eye test and taking blood pressure. Many are failing due to high blood pressure.
3. **Physical:** A run of one and a half miles to be completed in 12 minutes; 25 sit-ups in a minute, and 15 push-ups (women must do 15 sit-ups and 10 push ups). After many candidates failed the physical, the times allowed for the exercises were extended.
4. **Written examination:** a multiple choice test in French, including a psychological component.
5. **Interview:** Candidates passing these stages are called back for an interview. At the interview different objects are laid out on a table including a baton, a pistol, a copy of the Constitution, a policeman's hat, and a notice calling a community meeting with the police. Applicants are asked to choose objects ranked in

The Recruitment Process for the Salvadoran National Civilian Police

Requirements

1. Be Salvadoran by birth
2. Be over 18 years old and under 28 years old
3. Have graduated from high school
4. Be taller than 1.60 meters for men and 1.55 meters for women
5. Have no court record
6. Have no police or criminal record
7. Enjoy full rights of citizenship
8. Never have been fired for disciplinary reasons from a position in government service, municipal service, or from any other official autonomous or private institution in legal proceedings.

Documents

completed application form; birth certificate; personal identification document; electoral card; high school certificate; court certificate affirming lack of record; police certificate affirming lack of record; a recent photograph; medical records; two good conduct references.

Process

Candidates must then pass physical, medical, cultural, and psychiatric tests. If they pass these tests, they then fill out a form that is used to conduct a background check by the police academy's background check unit (Verification Unit, see description below). Candidates are then interviewed

3.2 Management and administration of recruitment

Large-scale police reform entails massive recruitment efforts, often requiring the largest numbers of civilian recruits in the early days of the reform process when many aspects of leadership, administration and oversight are weak. Obviously, problems with recruitment affect the standard of personnel in the police force and can have ramifications far into the future.

In the **Haitian** context of 85 percent unemployment, the number of applicants overwhelmed recruiters and high standards meant that pass-rates were very low: 45,000 people applied for the first round of recruitment; 8,000 were tested in three weeks and only nine percent, or 750 recruits, were accepted for the first two classes. The percentage of applicants accepted has increased to 14.8 percent, but thousands are tested to recruit each class. (WOLA 1995)

Not surprisingly, given the highly pressured environment in which recruitment takes place, problems have arisen in the management and administration of these processes.

In **El Salvador**, poor publicity resulted in fewer applications than anticipated and in confusion about dates and locations for testing. At first, the physical fitness exam was done before the medical, a potentially dangerous sequence. During the physical, doctors applied inconsistent criteria in rejecting applicants. Later, the order of testing was changed and psychological and education tests given before physical exams. The written and interview portions of the psychological screening exam were used inconsistently to screen out candidates. Recruiters did not follow general processes consistently: Some candidates did not receive their results from the first stages in time to get to later stages. Testers gave different time lengths to candidates to answer questions. There was no evidence that these irregularities caused systematic discrimination against former combatants from either the military or FMLN. Politically unaffiliated civilian applicants were those most likely harmed as they had no sponsoring organization to appeal their rejection during the recruitment process. The police academy has since developed extensive recruitment materials and initiated a school outreach program to attract high school graduates. At least one non-governmental organization also assisted the police in an effort to assure a sufficient number of civilian candidates. These efforts have been important to the ability of the PNC to maintain high educational standards for their police recruitment. (WOLA and HI 1996)

In **Guatemala**, poor outreach and lack of publicity led to a shortage of candidates for the police, with only one applicant for every post available during the first round of recruitment. International advisors note that police recruiters should have at least three candidates to choose from for every slot. (WOLA 1997)

3.3 Issues arising around educational standards

Historically throughout all of Latin America, rank and file police agents have very low levels of education, indeed some are barely literate, while officers who go through separate recruitment and training are better educated. Reform processes have sometimes been used as an opportunity to increase the educational level of new forces, as higher levels are seen as integral elements of improved police professionalism.

In **El Salvador**, many human rights abuses committed by the new force appeared to result from poor knowledge of law and police procedures. In response, educational requirements for police recruits were increased from a 9th grade to 12th grade in an effort to improve police cadets' ability to learn the penal code and adopt correct procedures. (WOLA and HI 1996)

High educational standards, set in order to advance the level of professionalism of the new police, may have the undesired effect of excluding both sectors of the population representing minorities or indigenous people and aspiring candidates from poorer social strata with a strong commitment to the principle of democratic policing but with little formal education.

In **Haiti**, the minimum educational level for an agent is equivalent to 10th grade. Candidates for command positions need a Baccalaureate level II, roughly equivalent to the first year of university in the United States. The requirement that all candidates speak, read and write French was posited as necessary to assure high-quality recruits and

because legal codes and proceedings are in French. Many progressive sectors criticized this standard as immediately excluding over 80 percent of the population who speak only Créole. (WOLA 1995)

If it is particularly important to assure a certain level of participation by certain sectors which are failing the set requirements, recruiters have made exceptions. For example, in El Salvador, police trainers established remedial courses for former combatants who clearly would not meet educational requirements. These primarily benefited the FMLN. In Haiti, pass rates for general civilian recruiting were so low that the educational requirements were dropped by several years of schooling and additional remedial education courses were created at the police academy.

Special processes or advertising campaigns may also be necessary to attract women and other social sectors who face cultural and social obstacles to applying to join the police. Police forces in the United States and other areas note that increasing minority representation is a difficult and long-term prospect. Northern Ireland presents a vivid example: Though 40 percent of the country's population is Catholic, few join the Royal Ulster Constabulary because of their reluctance to join a sectarian institution (the Constabulary is 92.5 percent Protestant). Clear criteria and processes should be established for such exceptions and additional efforts made to assure that police recruited under different standards are brought to an adequate level of professionalism and are fully assimilated with the rest of the force who may resent perceived preferential treatment.

In **Guatemala**, the 1996 Agreement on Strengthening Civilian Power and the Role of the Armed Forces in a Democratic Society stipulates that local communities be involved in recruitment processes and that the new National Police should reflect Guatemala's multi-ethnic character. The United Nations Mission in Guatemala (MINUGUA) supported a pilot project in the Ixil triangle involving consultation and outreach to indigenous communities to select candidates for the police. Some 60 candidates were selected through the program, but the government has not replicated the effort elsewhere. Subsequent academy classes have had minimal representation of Mayan candidates. (WOLA 1997)

3.4 Adapting recruitment standards to national realities

Reflecting the predominant role of international donors and the speed with which recruitment processes have been designed and implemented, tests often have not been well-adapted to national educational curricula and standards.

In **Haiti**, the use of a multiple choice exam was problematic as the multiple choice format is not used Haitian curricula and school tests. Recruiters increased the time given to explain the test format, but candidates complained that they did not know test techniques like rushing through the easy questions and then returning to the harder ones. (WOLA 1995)

In **Guatemala**, tests, including the psychological exam, have not been adapted to Guatemalan reality and are designed for an urban population. Tests of educational standards only examine memorization capabilities, and do not address a candidate's actual knowledge base or their analytical and logical reasoning abilities. (WOLA 1997)

As in any examination, cheating must be avoided. This is not always easy when thousands of recruits are taking standardized tests.

In **Haiti**, some candidates did cheat in the written exam and interview, although reportedly their techniques “were not very sophisticated.” During the interview, recruiters soon noticed that applicants were all giving the same responses to a test in which they were asked to rank in order of importance various symbolic items arrayed on a desk, including a copy of the constitution, a gun, a policeman’s cap, etc. When recruiters changed the order of the objects, applicants continued to respond in the same physical order despite the fact that their answers no longer matched the object picked. (WOLA 1995)

More important than such individual cheating is the possibility of political manipulation of recruitment at both national and local levels. Under the processes to date, such issues have mainly revolved around the role of former combatants, as discussed above. The dominant role of the international community appears to have helped reduce these concerns in the short term. However, in countries where nepotism and corruption have traditionally determined the allocation of most jobs, and where positions in the police force are frequently purchased, recruitment processes need protection against partisanship and corruption.

In **Haiti**, even while the international community was playing a key role in recruitment, WOLA heard a report that in at least one town, the mayor presented the recruitment team a folder of already completed forms. Overall, however, the Haitian Ministry of Justice and ICITAP enforced an impartial process and there is little evidence of personal or political manipulation. This impartiality has been a novelty in Haiti, where historically even the lowest-level appointments were decided through nepotism and corruption. Some failed applicants refused to believe that they had been fairly rejected. In the worst case, a rejected candidate killed an interim policeman and wounded others. (WOLA 1997)

In **El Salvador**, there was little evidence of partisan or political bias in recruitment. For a time, former PN and ex-FMLN candidates enjoyed greater protection from random irregularities in the recruitment and testing processes (see below), since they had institutional sources of support. But civilians with no history of involvement in the conflict very quickly became the large majority of candidates for the PNC. In latter rounds of recruitment, virtually all applicants have been civilians, and there have been no signs of political bias in the selection process. (WOLA and HI 1996)

3.5 Background checks

A background check for criminal record (and in the case of former military personnel, establishing that they have not been implicated in human rights abuses) should be a basic step after a candidate has passed the examinations process.

In **El Salvador**, background checks were not done and members of youth gangs have been identified as having entered the police academy. The government and the FMLN initially agreed upon this procedure because there was no entity in the country that both would trust to carry out objective, unbiased background checks. The cost of this decision

was that applicants were able to present fraudulent educational documents and conceal criminal histories as well as previous membership in the armed forces or the FMLN. Only if candidates slipped up in some way, were recognized by someone, or called attention to themselves through misconduct, were more thorough investigations carried out by social workers employed by the ANSP. To the extent that the system worked, it depended upon close observation by academy instructors and psychologists who were able to identify at least some problem cases. In 1995, the Salvadoran police academy created a Background Check Unit. This unit checks the family background, conduct in the community, educational achievement, work history and police and legal records of all candidates. The unit gives a talk to all police applicants, receives the application materials from all candidates who pass the medical, psychological and physical tests, and also reviews a background check form completed by the applicants. The unit then assigns investigators who check into the materials provided by the applicants and make recommendations for the final decision of the academic committee. (WOLA and HI 1996)

In **Haiti**, a background check for known human rights violations or criminal activities is conducted by the Haitian government, but this is extremely difficult in the Haitian context as official records are non-existent or in appalling condition. Nor did the Haitian government have good lists of human rights violators at the time of the massive recruitment drive for the HNP. The Secretary of State for Police told WOLA: “We don't have time to do a profound investigation. We get the proposed list for a class in the morning and we have to approve it by the evening. [The background check] is not a major concern of ICITAP, and they demand proof, which is often difficult to provide, especially as it is public outcry which identifies these people.” The Haitian government reserved the right to remove people from the police academy during the first two weeks of training, but after two weeks it was too difficult for replacement trainees to catch up with those who had already started and, as they sought to reach rapid police deployment targets, neither Haitian nor international officials were willing to see class size eroded through ongoing vetting once training was underway. (WOLA 1995: 22)

ENDNOTES

1. In 1994, per capita income in Haiti was roughly US\$300 p.a.. Police salaries for lower level agents start at US\$300 a month, with senior-level commanders making as much as US\$600 a month.

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