Vera
INSTITUTE
of JUSTICE

Workshop on Police in Democratic Societies: Advancing Public Safety and Accountability

Vera Institute of Justice
The Ford Foundation

Arden Conference Center, Harriman, NY
March 23-25, 1998

Agenda

Monday, March 23

9:00 a.m.
Depart Manhattan for Arden Conference Center,
Harriman, New York

10:30-11:00 a.m.
Check-in

11:00 a.m.-1:00 p.m.
Introduction and Overview
Mary McClymont and Christopher Stone
• Project background and objectives
• Introduction of participants
• Participants' interests and current or planned work on public safety
and policing

1:00-2:00 p.m.
Lunch

2:00-3:30 p.m.
**Framework for Improving Police Effectiveness
and Accountability**
Christopher Stone and Heather Ward
• Overview of framework and how it can be useful to program staff
• Insights from the last eight months of activities, meetings,
and site visits
• Explanation of directory of actors and overview of bibliography
• Discussion

3:30-4:00 p.m.
Break

4:00-6:00 p.m.
Police Organizational Structure
Hugo Frühling, Sankar Sen, and Betsy Watson
• Is structural reform of police organizations a condition for other
reforms? Is there a sequence to police reform?
• What types of structural changes are important: demilitarization,
decentralization of authority, creation of municipal forces?
• What are the varieties of internal organization that improve
effectiveness and accountability?
• How do various police organizations relate to elected political
officials? What is the appropriate division of responsibility
between professional and political leaders?
• Discussion

6:00-7:00 p.m.
Cocktails

7:00-8:30 p.m.	Dinner
8:30-10:00 p.m.	Documentary Film and Discussion

Tuesday, March 24

8:30-10:30 a.m.	**Police-Community Partnerships** *Hugo Frühling and István Szikinger* • How are human rights, civil rights, and community-based organizations working with police to improve public safety and accountability? • What is the actual and potential role of the media? • What are the strategies, both good and bad, police have used and might develop to respond to the interests of cultural minorities and women? • Discussion
10:30-11:00 a.m.	Break
11:00 a.m.-1:00 p.m.	Investigation of Police Abuse *Neville Melville, Tom Perez, and Sankar Sen* • What are the strengths and weaknesses of different investigative structures and tactics in identifying, punishing, and reducing police mistreatment of civilians? • Discussion
1:00-2:00 p.m.	Lunch
2:00-3:30 p.m.	The Process of Change, Part I *Betsy Watson, István Szikinger, and Tom Perez* • How do police organizations change from within? • How does the political system affect policing? • What roles can NGOs play in reforming the police and expanding safety? • What role does the judiciary play in influencing police performance and behavior? • Discussion
3:30-4:00 p.m.	Break

4:00-5:30 p.m.	**The Process of Change, Part II**
	Hugo Frühling and Neville Melville
	• How valuable is international cooperation to police and civilians trying to advance reform?
	• What current types of cooperation have been most useful? What new types should be explored?
	• Discussion
5:30-7:00 p.m.	Cocktails
7:00-8:30 p.m.	Dinner

Wednesday, March 25

8:30-11:00 a.m.	**Ford Foundation Staff Roundtable**
	Mary McClymont and Ford Staff
	• Discussion on next steps and areas for further exploration.
11:30 a.m.	Return to Manhattan

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Working Group Members

Hugo Frühling Ehrlich, Santiago, Chile

Dr. Frühling is the director of the Program on Political Violence, Criminology and Judicial Reform at the Center for the Study of Development (*Centro de Estudios del Desarrollo*), where he has conducted research and policy analysis related to human rights, policing, crime, and democratic reform since 1990. Dr. Frühling also teaches political science at the University of Chile and has taught law, sociology, and human rights courses at universities in Canada, Chile, and the United States. As advisor to the Ministry of the Interior from 1993 to 1994, Mr. Frühling coordinated a task group on crime and delinquency and drafted the National Plan for Citizens' Security. He previously served as executive secretary of the Ministry of the Interior's Public Security Coordinating Council and advised the Minister Secretary General on human rights policies. Mr. Frühling is the author of several books and articles, including *Determinants of Gross Human Violations: The Case of Chile, Human Rights and Democracy: the Contribution of Nongovernmental Organizations, Human Rights Organizations of South America,* and *Political Repression and the Defense of Human Rights.*

Neville Melville, Johannesburg, South Africa

On August 7, 1996, Mr. Melville was appointed executive director of the South African Independent Complaints Directorate (ICD) by the Minister for Safety and Security. The ICD is an independent body under civilian control that investigates complaints against police for criminal offenses and misconduct. Since the ICD began operation on April 1, 1997, it has received over 160 complaints, some of which the ICD has referred to the attorney general for possible prosecution. Prior to this post, Mr. Melville was the Police Reporting Officer for Kwa-Zulu-Natal province, where he supervised investigations of police abuse and misconduct.

Thomas E. Perez, Washington, D.C., United States

In January 1998, Mr. Perez was appointed Deputy Assistant Attorney General for Civil Rights, U.S. Department of Justice. Previouly, Mr. Perez served as an attorney in the Criminal Section of the Justice Department's Civil Rights Division. As deputy chief of the Criminal Section from 1994 to 1995, he supervised the prosecution of federal criminal civil rights laws and instructed courses in trial advocacy and criminal civil rights prosecutions at the Attorney General's Advocacy Institute. From 1995 until 1997, he worked on detail as special counsel to Senator Edward M. Kennedy, whom he advised on civil rights, crime, immigration, and environmental issues.

Sankar Sen, New Delhi, India

As director general of investigation for the National Human Rights Commission of India, Mr. Sen is responsible for improving the protection of human rights through training and sensitization programs with police and paramilitary forces. From 1992 to 1994, he directed the SVP National Police Academy. For 34 years, Mr. Sen was a member of the Indian Police Service, where he served as inspector general and director general of the Border Security Force and deputy inspector general of police. He is the author of *Policing a Changed Society, Indian Police Today, Terrorism and Drugs, Custodial Deaths in India, and Human Rights in a Developing Society* (forthcoming), in addition to several journal, magazine, and newspaper articles on police reform.

István Szikinger, Budapest, Hungary

Mr. Szikinger is a staff attorney at COLPI, the Institute for Constitutional and Legislative Policy, where he manages projects related to police and human rights. From 1991 to 1995, he directed the Police Research Institute and served as chair at the Police College, where he was also head of the political science department and a professor of constitutional law. Within the Ministry of the Interior, Mr. Szikinger has held responsibility for the Department of Police and Border Guards and the Secretariat of the Deputy Interior Minister. He has conducted extensive research on policing and public administration and is the author of several articles on police reform and human rights in Hungary.

Elizabeth Watson, Austin, Texas, United States

Ms. Watson is currently a visiting fellow at the Office of Community-Oriented Policing (COPS), of the U.S. Justice Department. The results of her research project at COPS on police leadership will serve as a model for future police leadership development in the United States. From 1992 to 1997, Ms. Watson was the chief of police in Austin, Texas, where she oversaw reorganization of the department and instituted a community policing program. Ms. Watson was also the chief of police in Houston, Texas from 1990 to 1992, following Lee Brown. Ms. Watson was also a member of the Executive Session on Policing at Harvard's Kennedy School of Government. She is the author of "Creativity with Accountability," with George L. Kelling, in *Police Management: Issues and Perspectives*, among other articles.

Democratic Policing: A Framework for Action

Christopher Stone and Heather H. Ward

How can the citizens of a democracy control their police? The question is as old as democratic theory, but it has gained fresh urgency today as high levels of crime (and the fear of crime) increasingly dominate the politics of democratic states. How can police agencies create the internal discipline necessary to advance public safety while treating people with respect? How can the elements of civil society advance the work of the police to provide safety and justice? How can other structures of a democratic state—the courts, legislatures, and executive oversight entities—assure the public that the police are using their growing power to protect people while respecting the rights of all?
The urgency of these questions is vividly clear in newly democratic states. In Hungary, South Africa, and Brazil—to take three examples where the police recently served authoritarian regimes—democratic governments have actually increased the power of the police. In such circumstances, mechanisms must be created through which the police are democratically accountable for how they use these powers; otherwise, policing itself, not crime, may undo the new freedoms.

These are urgent questions in older democracies as well. In the United States, for example, residents of traditionally underprotected communities—from Washington Heights in New York City to South Central Los Angeles—find themselves caught in the same paradox as citizens of newly democratic states. The scourges of crime and violence push them to accept some intrusions on their freedoms by the police, despite the fact that these same communities exercise little control over the tactics or styles of policing in their neighborhoods. In these communities, complaints of police abuse are frequent, but so are calls for police assistance. New mechanisms must be created and existing controls strengthened in these communities to assure that the police are democratically accountable for the use they make of their growing powers.

Fortunately, the prospects for achieving this kind of democratic control are good; indeed, the creation of the necessary structures is well advanced in many places. Each of at least a dozen recent innovations in policing and police accountability can be seen as contributing to this process. These innovations include such otherwise disparate developments as community policing, real-time analysis of crime statistics, victimization surveys, civilian complaint review boards, civil rights and human rights prosecutions of police, integrity units within police agencies, exclusionary rules of evidence, mandatory arrest policies in domestic violence cases, and more.

The framework developed in this paper aims to advance the democratic accountability of police in three ways. First, it organizes these recent innovations in policing (and the scores of proposals) into a single, coherent picture of policing in democratic society. Second, it helps officials, reformers, and concerned citizens avoid the false dichotomy between one kind of accountability mechanism and another. By recognizing that police in a democracy must be accountable simultaneously to multiple levels of control, one avoids, for example, the Hobson's choice between civilian complaint review and internal police investigation of misconduct. Third, the framework presented here suggests several ways to strengthen democratic policing.

In many democratic countries, there are people in positions to act on these issues if they can get answers to their questions. Human rights activists and civil rights organizations in many countries now find themselves in positions to shape police policy and practice, but what should they do about crime? People serving in government now have political permission and the technology to expand police power exponentially, but which new powers will make the biggest difference to crime, and how can these new powers be controlled? Both officials and activists have unprecedented abilities to communicate with one another across national and even continental boundaries, but as a practical matter what can they gain from exchanges with colleagues around the globe?

The Importance of Accountability

Police in democracies do the same things that police do under authoritarian regimes. They patrol streets, detect crime, enforce regulations, arrest and interrogate suspects, control demonstrations, and use force (sometimes deadly force) in the course of these duties. So what distinguishes policing in a democracy?

One possible answer comes from the United Nations. During its recent mission to assist in police reform in Bosnia-Herzegovina, the Commission on Policing Structures of the UN International Police Task Force set out seven basic principles of policing in a democracy:

1. orientation to democratic principles
2. adherence to a code of conduct worthy of the public trust
3. protection of life
4. public service
5. a central focus on crimes against people and property
6. respect for human dignity
7. nondiscrimination[1]

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[1] United Nations International Police Task Force, "Commissioner's Guidance for Democratic Policing in the Federation of Bosnia-Herzegovina," Sarajevo: United Nations, May 1996.

But this list seems unsatisfactory. The first principle is circular, defining democratic policing as oriented to democracy. The remaining six may be admirable, but they could characterize policing under an enlightened despot as well as in some democracies.

Professor Otwin Marenin has recently attempted his own definition, conceding from the start that no specific practices are common to all police across different democratic countries. Reviewing definitions of democratic policing developed by international donors, multinational policing forces, senior practitioners, and scholars, Marenin finds consensus on six general principles: "effectiveness, efficiency, accessibility, accountability, congruence, and general order."[2] Again, however, several of these simply describe desirable features of any government, democratic or not. The two principles in Marenin's list that make a police force democratic would seem to be accessibility and accountability.

David Bayley, one of the most widely respected scholars of policing internationally, reaches the same conclusion. Professor Bayley lists two essential features of democratic policing: responsiveness and accountability. A democratic police force, he states, "responds to the needs of individuals and private groups as well as the needs of government," and is "organized to be responsive downwards" to the disaggregated public. It is "accountable to multiple audiences through multiple mechanisms."[3]

Police in democracies must be accountable when they violate rules, laws, and civil rights, but the accountability that Professor Bayley describes is broader than this. It is equally important that police be accountable for how they attempt to protect the public, how they respond to reports of crime, and the results they achieve in terms of public safety. Police must be accountable for both their behavior and the protection of public safety, and they must be accountable, according to the view adopted here, to multiple mechanisms.

Strengthen these mechanisms, and you have strengthened democratic policing. Coordinate these mechanisms, and you have begun to help police deliver safety with respect for the rights of all.

Police forces in every country have many responsibilities beyond ensuring public safety. In rural India, police settle land disputes; in Brazil, they drive ambulances; in Russia, they operate pretrial detention centers. To most people, however, what matters is the policing they see on the streets from day to day. Police who patrol and respond to calls are the most visible representatives of a government to its people. What people should expect from these police is some assurance of safety and to be treated decently. Hence the focus here on these two reasonable, if ambitious, expectations.

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[2] Otwin Marenin, "The Goal of Democracy in International Police Assistance Programs," *Policing*, forthcoming, 8-12.

[3] David Bayley, "The Contemporary Practices of Policing: A Comparative View," paper presented to the Center for Strategic and International Studies and the Police Executive Research Forum, October 6, 1997.

What are the multiple mechanisms to which the police must be accountable? They will vary from place to place, but in every democracy they can be grouped into three levels of control:

- internal or departmental control
- state control
- social control

The chart below lists some of the more common mechanisms to which the police are accountable at each of these levels. The chart separates the mechanisms to which the police are accountable for public safety from those governing their own behavior toward the public.

Police Accountability Mechanisms

Accountability for / Accountability to	Public Safety (reducing crime, violence, disorder, and fear)	Police Behavior (reducing corruption, brutality, and other misconduct)
Internal Control	training, line commanders, crime statistics reporting	training, line supervisors, rules, ethics codes, integrity units, administrative discipline
State Control	operational direction by elected and appointed political officials, budget authorities, prosecutors	ombudservices, legislative committees, criminal liability, civil liability, exclusionary rules of evidence
Social Control	neighborhood safety councils, community-based organizations, media, policing research and policy institutes	civilian complaint review, external auditors, media, human rights monitors, policing research and policy institutes

The conception that police in democracies must be accountable to multiple mechanisms simultaneously stands in contrast to the assumptions underlying much contemporary debate on the subject. For example, when discussing how to investigate police misconduct, it is common for officials to argue among themselves about whether a police department should be accountable to an independent body or, alternatively, to the chief of the department. Similarly, when discussing the relative priority of crime

problems, it is common today for officials to debate whether a department should be accountable to elected officials or to community policing forums and citizen councils. In both cases, the choice is a false one. Police must be accountable to all of these structures, and more.

Police chiefs will always find it easier, and will argue that it is more efficient, to keep accountability clear along a straight, hierarchical line. Chief Bernard Parks of the Los Angeles Police Department believes that the city's Community Police Advisory Boards should have no authority to set priorities for his department, and the inspector general should not investigate individual cases of police misconduct. Instead, Chief Parks explains that he should be responsible for anticrime strategies and for disciplining his officers, and he should be accountable to a single executive authority. Indeed, he foresees a day when the city's charter will be amended to give the mayor direct authority to hire and supervise the police chief, replacing the five-member Police Commission to which he currently reports. In short, police officers should be accountable to their chief, the chief to the mayor (or the governor, or the president), and the chief executive to the electorate. Most chiefs and most mayors would probably agree. So long as the executive stands for election every few years, democracy is satisfied.

But in matters of policing, democracies are rarely so easily satisfied. The organized use of force by the state against its own people requires constant and complex democratic oversight, especially when directed at groups that are underrepresented through the democratic process. Chief Parks accurately calls "politics" the process requiring him to account to structures outside the department. Indeed, both the Community Police Advisory Boards and the inspector general were introduced on the recommendation of the Christopher Commission after the riots that followed the acquittal of the officers who assaulted Rodney King. It was politics that added to the matrix of mechanisms in Los Angeles, but in this case politics is just another word for democracy in action.

Of course, Chief Parks is right: The department must be accountable to the chief, and he to the executive. The other mechanisms are not alternatives to this line of accountability, they are additions. But there are lots of them. Beyond the Community Police Advisory Boards and inspectors general, politics requires police to be accountable to the courts, the budget committees of the legislature, civilian complaint review boards, organized interest groups, the press, and individual members of the public. Federalism adds an additional layer of complexity in the United States, Brazil, Germany, and similarly structured democracies, where local police must account to federal as well as state authorities. Managing in this matrix of multiple mechanisms is one of the difficulties inherent in leading a modern, democratic police force. At the same time, those managing each of the accountability mechanisms should understand that theirs is only one of the structures to which the police must answer.

Entry Points for Reform

There is no correct or perfect place to begin a process of reform, but there is plenty of choice. The only universal advice is that reform has greater and longer lasting significance when it strengthens one or more of the mechanisms in this matrix than when it supports a particular anticrime or anticorruption campaign.

Some of the mechanisms, like community policing, have been popular as ideas in many countries, but have proven difficult to define and implement. Others, like the public dissemination of reliable statistics on reported crime, are more technical but perhaps more effective in the short term. Still, the choice of how to begin is better made on the basis of local conditions and opportunities than on tentative conclusions about what seems to have worked elsewhere.

Departmental Control

Reforming police from within is always tempting because improved accountability here is felt immediately by everyone on a force. But departments are also highly resistent to reform. They can erect substantial bureaucratic obstacles to new initiatives and police culture is notoriously impervious to change, even from police commanders.

Reforms to Organizational Structure, Culture, and Composition

Plans for internal reform must take account of the different structures of police departments. Some are national, others municipal; some centralize authority, others are decentralized. There are debates underway in many countries about how a department should be structured in a democracy. But police scholars generally agree that there is no correct or "democratic" structure, as long as the department is accountable downward to localities and civilians, as well as upward to elected officials and the courts.

Funding from multiple layers of government seems to help keep police accountable to national and local constituencies, whatever their organizational structure. For example, in Brazil, public safety committees exercise some control over local units of the São Paulo state police force by providing them with extra funds and equipment. In the United States, the federal Justice Department provides funds to state and local police, requiring compliance with various standards of performance and reporting. In Russia, governors supplement the funding of the national police units within their territory, in some cases gaining substantial control over operational strategies. In any jurisdiction, the relevant question is not about the structure of the police itself, but whether mechanisms have been found to make the police—however structured—accountable both nationally and locally.

Police departments also differ in their organizational cultures. In every department, as in many professions, officers protect one another and will defend the profession against outside criticism. The "blue wall of silence" is a phrase that translates easily in every jurisdiction. But departments vary widely in the health or pathology of their police

cultures. For example, police officers in Chile's Carabineros and Russia's militsiya are paid roughly equivalent salaries, yet the Carabineros take pride in their clean reputation, while the militsiya suffer a terrible reputation for corruption. In the United States, the National Institute of Justice is sponsoring research on three police departments that appear to be highly resistant to corruption to determine how the commanders have shaped their internal culture, but there is little systematic knowledge about this today.

Police commanders and reformers often hope that they can change the culture of their police departments through changes in recruitment. New research is underway in the United States to measure the performance and allegations of misconduct among cohorts of recruits entering the police at different moments and under different policies over the last twenty years. In the meantime, anecdotal reports provide at least two lessons from experience: First, older recruits with more experience and education seem to perform better and are less likely to misuse force than younger ones; but second, new recruits of any description are more likely to conform to the existing culture than to change it.

One particular theme in recruiting as a way of changing police culture involves hiring members of groups previously underrepresented. Many policing scholars and human rights advocates argue that the racial, ethnic, religious, and gender composition of a police force should accurately reflect the population it serves.[4] Some argue that police better serve, and treat more fairly, members of the groups to which they belong. Another argument is that police who work on a diverse force learn respect for their colleagues and, through them, for other members of those groups. Whatever the merits ·of either of these arguments, recruiting previously excluded groups has proved difficult in practice, and a slow strategy for change even when it succeeds.

Reform Through Police Training

Any change in the habits and activities of police requires new training. But training alone has limited impact unless coupled with practical reforms in management, deployment, and supervision. In every force, new recruits complain that training courses do not prepare them for what they encounter on the street. Once on the job, they are expected to leave their training in the classroom and follow the lead of experienced officers.

This commonplace complaint explains the limited impact of many training initiatives. Yet the initiatives continue, perhaps because they are attractive both to reformers and to those who wish to resist reform. Reformers like training because police trainers are typically more open to outside ideas and new approaches than officers in the chain of command, and the new recruits are more open, idealistic, and value-driven than

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[4] See Mary O'Rawe and Linda Moore, *Human Rights on Duty: Principles for Better Policing—International Lessons for Northern Ireland.* Belfast, Northern Ireland: Committee for the Administration of Justice, 1998.

seasoned cops. But the impact of training is hard to measure, and programs are easily forgotten unless reinforced in daily practice.

Human rights training seems to fit this pattern particularly well. Under political pressure, police training institutions in every part of the world have introduced courses in civil and human rights. In practice, however, recruits generally learn about constitutional and international human rights standards, not how to observe these rights in their day-to-day work. The training is particularly easy to dismiss when it is delivered by special lecturers or guests. Disappointed with the training that has been delivered, many human rights advocates now recommend that the principles be incorporated into other training courses, such as the use of firearms or interrogation techniques.

Training programs in proper use of firearms and in alternatives to lethal force, such as verbal judo (a technique of using words, not force, to subdue a suspect), are popular with police and human rights groups, and may prove effective. The misuse of firearms by police is responsible for thousands of civilian deaths each year, and many of these police killings are mistakes. Inexperienced officers draw their weapons too readily and make poor judgments in the split second they have to decide whether or not to shoot. To improve officers' decision-making ability, some training courses have begun using virtual reality technology to simulate dangerous situations. Over and over again, students have to decide whether to fire or not. Other training in conflict management recognizes that the police often find themselves escalating the level of conflict when they respond to a perceived threat. Training in verbal judo and less than lethal force teaches recruits how suspects can be controlled through language, nonviolent forms of contact, and restraint.[5]

Training in investigation and legitimate interrogation techniques may similarly help reduce the unnecessary use of force to extract confessions. A deputy station commander in New Delhi, for instance, claims that beating suspects to force confessions is necessary because he and his colleagues lack modern investigative skills. What they need is practical, hands-on training in interrogation without using force, plus training in fingerprinting, handling evidence, and intelligence gathering. Developing these basic skills, and updating them for senior officers, could help police avoid using mental or physical abuse to obtain information.

Management and executive education is also a newly popular form of in-service training for police. Senior officers are more likely to conceive of themselves as commanders rather than managers or executives, although some police executives have begun to apply private-sector management theory to policing.[6]
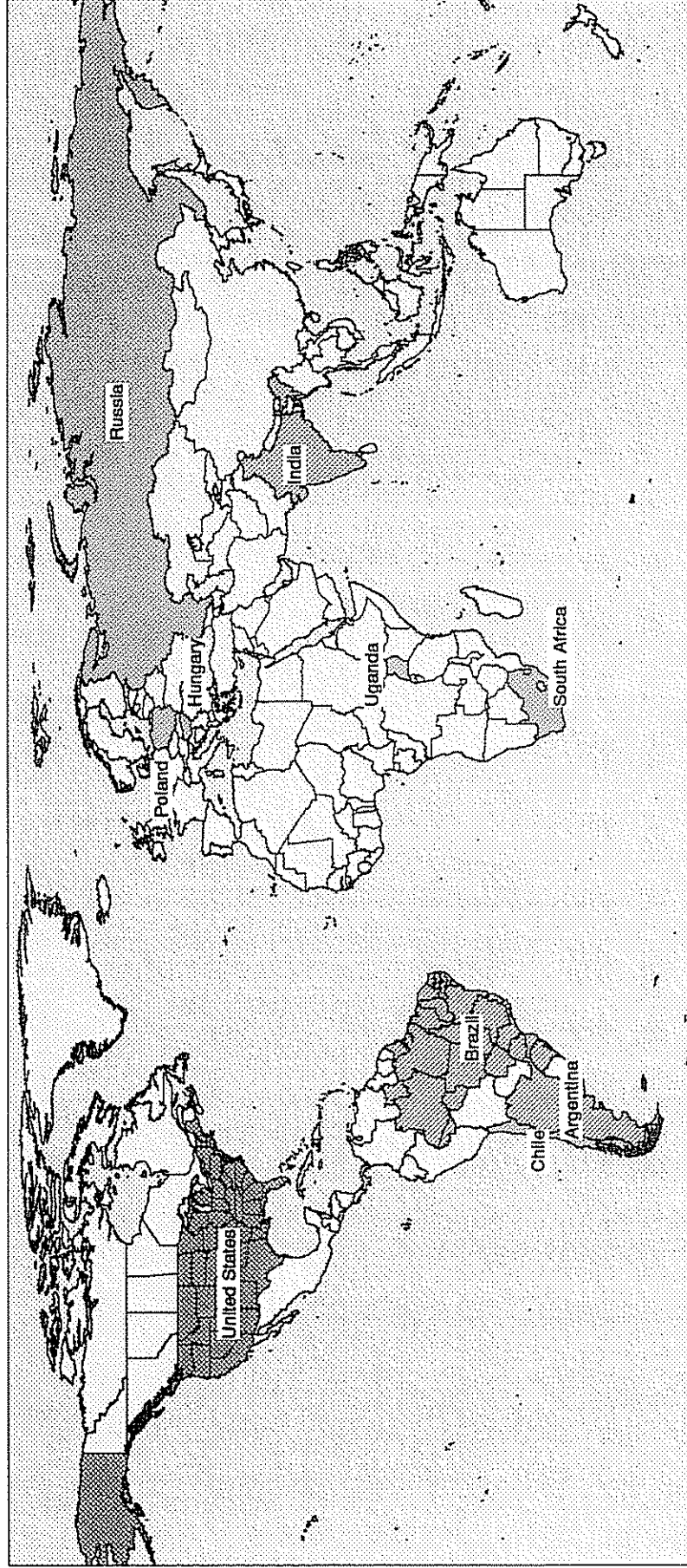
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[5] William A. Geller, and Michael S. Scott, *Deadly Force: What We Know*, Washington, D.C.: Police Executive Research Forum, 308.

[6] See, generally, Larry T. Hoover, ed., *Quantifying Quality in Policing*. Washington, D.C.: Police Executive Research Forum, 1996.

Map A: Level of Organization of Principal Police Function in Selected Countries

Community Policing and Its Variants

Versions of what is now referred to universally as community policing have existed for decades in Japan, England, and elsewhere. In the United States, community policing emerged after earlier reforms succeeded at increasing professionalism and removing police from the control of political factions, interest groups, and widespread corruption. The professionalization movement emphasized police skills and competence, but it also removed police from direct contact with civilians and strengthened the hierarchical command structure. Over time, the public demanded more personal attention from police and control over police activities in their neighborhoods, while police realized their effectiveness depended on public cooperation and support. Community policing accommodates what the public wants from the police, which varies across neighborhoods and from one person to another.

Community policing embraces a wide array of initiatives ranging from community relations to community control. No two programs are the same, nor should they be, but several scholars and police chiefs have concluded that the variation is so great that the label has lost its meaning. In some cases it is a departmentwide organizational strategy; in others it amounts to a special unit of community liaison officers.

Police scholars offer a wide variety of definitions. Broadly speaking, however, community policing refers to policies that contain one or more of the following three elements:

1. A commitment by the department to deploy officers on local beats and focus attention on relatively minor offenses that are major annoyances to local residents and businesses.
2. A commitment by the department to talk with community residents and consider their views in establishing priorities for police in their neighborhoods.
3. A commitment by the department to analyze and solve crime problems rather than simply respond to each individual report of crime through an individual arrest.

Each of these three elements presents challenges as well as opportunities. Officers walking the beat are sometimes surprised that they are welcomed by local residents, even in neighborhoods where tensions have historically been high between police and the public. Yet the focus on minor offenses and disorderliness can create new tensions if these are of concern to only part of the community.

What is Community Policing?

Jerome H. Skolnick and David H. Bayley, *Community Policing: Issues and Practices Around the World:* "Examining experience on four continents, we have found four areas of programmatic change in policing that have occurred consistently under the banner of community policing. In other words, when police departments act rather than just talk about community policing, they tend to do four things: (1) organize community-based crime prevention; (2) reorient patrol activities to emphasize nonemergency servicing; (3) increase accountability to local communities; and (4) decentralize command."

Mark H. Moore, "Problem-solving and Community Policing" in *Modern Policing* (Tonry and Morris, eds.): "The fundamental idea behind community policing...is that effective working partnerships between the police and the community can play an important role in reducing crime and promoting security (Skolnick and Bayley, 1986; Sparrow, Moore, and Kennedy, 1990). Community policing emphasizes that citizens themselves are the first line of defense in the fight against crime. Consequently, much thought must be given to how those efforts might best be mobilized. One important technique is for the police to open themselves up to community-nominated problems....

"The concept of community policing changes thinking about the bases of police legitimacy. In community policing, the justification for policing is not only its capacity to reduce crime and violence at a low cost while preserving constitutionally guaranteed rights but also its ability to meet the needs and desires of the community."

Wesley G. Skogan and Susan M. Hartnett, *Community Policing, Chicago Style:* "[Community policing] involves reforming decision-making processes and creating new cultures within police departments; it is not a packet of specific tactical plans. It is an organizational strategy that redefines the goals of policing, but leaves the means of achieving them to practitioners in the field. It is a process rather than a product."

Meeting with residents and considering their views is also popular, but the choice of whom to meet and the decision as to how the community is legitimately represented can provoke conflict. Police officials generally try to control which community representatives they will collaborate with, and they tend to favor those who are better organized and wield more political power. Moreover, the better equipped a community is to engage with the police in this way, the less likely it is that the community needs police protection. In Uganda, Brazil, the United States, and elsewhere, police executives observe that community policing works best where it is least needed.

Finally, few departments have thoroughly implemented the problem-solving component of community policing. This is the element best liked by scholars and least practiced by police. Particularly where community policing is extended to the entire department, commanders worry that police are neither trained nor able to analyze problems over time, devise solutions, mobilize resources from a range of government agencies, and then implement the strategies. Equally important, some police commanders worry that the role itself intrudes dangerously on the work of local politicians.

Despite inconsistencies among community policing programs and a lack of consensus as to how valuable they really are, the best programs provide an opportunity for community members to set their own safety priorities and hold police accountable for addressing them. Defining anticrime strategies with individual communities demands flexibility on the part of police to tailor their strategies for diverse neighborhoods. It also requires that the effort be integrated into the work and reward structure of the department, whether it is carried out by a special unit or by the department as a whole.

Zero tolerance, a popular phrase among police reformers in government today, represents a distortion of the first component of community policing and its pursuit to the exclusion of the other two. It refers to the strategy of arresting everyone in an area who violates any criminal law, however minor. Zero tolerance may reduce crime in either of two ways: It may reduce conditions of disorder in an area, discouraging more serious crime as well;[7] or it may allow the police to stop and search so many people that they catch many wanted for other offenses. This second use of zero tolerance policing is only meaningful in jurisdictions that otherwise limit the ability of police to stop and search citizens at random, but if targeted on high-crime locations, the strategy can prove effective.

Internal Control

Investigation and Discipline

Most police departments have an internal system for identifying, investigating, adjudicating, and punishing individual instances of police misconduct. Some U.S. police departments have started using early warning systems to identify dangerous officers. A computer database tracks a range of variables, including: officers' age, education, length of service, arrest rates, frequency of "resisting arrest" charges filed by the officer, record of assignments, disciplinary history, use of force and firearms, reprimands and awards, and civilian complaints.[8] A red flag alerts supervisors when an officer accumulates too many points based on these variables. Supervisors can then intervene to make sure the officer gets more training in a deficient area, is transferred to a position with less civilian contact, or is disciplined.

Though often distrusted by the public and rarely the subject of well funded reform efforts, strict internal discipline is an indispensable mechanism of accountability. Only the department itself can respond swiftly to violations. And internal investigators are often the only ones who can find the information and evidence they need.

While internal investigations can cover subjects from deadly shootings to the failure to polish one's shoes, two areas have received particular attention: corruption and misuse of firearms. Some anticorruption units simply investigate complaints against particular officers, but these are rarely received. More aggressive units also conduct investigations in which undercover agents attempt to bribe the suspect officers. The most thorough units add a third tactic: random integrity tests of all officers or those in the most corruption-prone assignments. But this last tactic is seldom employed. Indeed, police officials in Russia and Poland insist that their new constitutions do not permit random integrity testing.

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[7] George L. Kelling and James Q. Wilson, "Broken Windows," *Atlantic Monthly*, March 1982.
[8] William A. Geller and Michael S. Scott, 287.

Every police department has policies governing the use of firearms. In many, police are required to file reports every time they use force or discharge a weapon, but the rules themselves vary widely. For example, in major U.S. departments, a police officer must account for every bullet, while in Brazil officers must submit a report every time they fire 19 bullets. These reports can lead to internal investigations by specialized "shooting boards" to determine whether use of the firearm was justified. These reviews, particularly when conducted by a standing panel, may reveal tendencies among individual officers to misuse firearms as well as circumstances in which the use of firearms can be better controlled.

Accountability Through Computer Technology

The most advanced policing in North America and Western Europe is today heavily dependent on sophisticated and expensive computer systems. DNA analysis can confirm the identity of suspects; fingerprint databanks match prints in seconds; and computers in patrol cars serve as an emergency dispatch system and allow officers to complete paperwork away from their desks. Are these mere conveniences, or can they improve the core activities of police work? No technology can substitute for neighborhood patrols, talking to residents, or questioning suspects face to face, but computers can help police identify repeat offenders. How important, then, is this technology to effective policing?

The answer to this question is crucial to decisions about investment in police reform because computerization is so expensive and time consuming. In the view of some reformers, a computerized criminal record system is an essential first step in the construction of a police force that really protects the public from crime. As a result, the South African government, for example, is investing several million Rand in a single, integrated criminal justice information system to be designed and implemented over several years, even while it cannot afford basic supplies in station houses. North American and Western European governments and multilateral donors have also spent vast sums providing computer technology to police forces in new democracies in Eastern Europe. Yet technology used by one police force is not necessarily transferable to another. The recipients must be able to maintain and modify the systems as well as use it. Even then, the contribution of the technology itself is uncertain.

Perhaps the best known use of technology to improve police accountability is New York City's COMPSTAT program, which stands for "computer statistics." It is based on mapping software that allows the chief of police and local commanders to analyze crime data within 24 hours of the events. At biweekly meetings, local commanders are held accountable by the chief for what they are doing to address individual crimes as well as crime trends in their areas. COMPSTAT has been adapted by the Los Angeles and New Orleans police departments for their own use, and the technology is likely to spread much farther. The New York City Police Department is now hosting its second international conference on COMPSTAT, showcasing the technology and the

accountability mechanism to more than 400 police officers from countries on every continent.

Technology, however, may not be necessary for police to apply COMPSTAT's basic management principle: routine accountability to supervisors for spotting and resolving local problems quickly. The New York department, for example, has always mapped crime trends with colored pushpins on a wall map; COMPSTAT just ensures that supervisors at headquarters have the same information at the same time as the station commanders. Where police lack the human or material resources to use and maintain computer systems, more appropriate technologies may serve.

State Control

Police departments are accountable to multiple agencies of the state, including legislative, judicial, and executive bodies. None of these can substitute for effective departmental control, but they are indispensable to a well governed, democratic police, and they can prove important partners to reformers within a department. State mechanisms provide particularly useful places to locate initiatives for police reform when a department is ignoring a crime problem, corruption is widespread, or misconduct is severe.

Reform through Executive Oversight

Police chiefs answer directly to elected officials—mayors, governors, or presidents—or to someone appointed by an elected official, such as a board of commissioners or a cabinet minister. Some of these officials attempt to direct police tactics and strategies; others exercise control primarily through the budget; still others defer to their police chiefs completely. The force of executive control seems to depend on personalities and political circumstances more than on its precise structure. New York City's mayor today is deeply involved in directing police strategy, where his predecessors deferred. In Poland, the Minister of the Interior is tentatively testing his role with the police, having recently lost control of the police budget. In South Africa, the Minister of Safety and Security last year appointed a business executive to the new post of director of the South African Police Service, overseeing the longstanding commissioner of SAPS but promising not to interfere with operational tactics. In sum, direct executive control is so politically contingent that it is rarely a useful focus for lasting reform.

Prosecutors, on the other hand, provide a highly structured, if indirect, mechanism of executive control over police. Prosecutors review evidence gathered by police in every criminal case, direct investigations in major cases, and establish prosecution policies locally or nationally that guide police practices. In countries as diverse as Hungary, Russia, South Africa, and Brazil, prosecutors have traditionally been career civil servants,

unaccustomed to thinking of themselves as agents of police reform. The potential power of the prosecutor over the police has not been much explored in these or other countries.

Changes in the legal profession in many new democracies are likely to transform the civil service culture of prosecution, aided in some cases by new legislation. In South Africa, for example, the 1994 constitution calls for the creation of a national director of public prosecutions, and Parliament is currently considering legislation that would give the DPP control over a national prosecuting authority. Changes in the role and ambitions of prosecutors in these countries provide opportunities to expand the control that they exercise over police.

Ombudservices, oversight commissions, and inspectors general—with widely varying powers—also attempt to hold police accountable. In Warsaw, for example, the ombudsman receives complaints from the public regarding all government departments, a small number of which concern police; in São Paulo, the ombudsman receives complaints only relating to police. In India, the Human Rights Commission receives complaints about a range of government agencies, but most of its investigations concern allegations of police misconduct. Like civilian complaint review boards (discussed below), these mechanisms are created principally for a public audience. Not only must the police be accountable, but the public must see that they are accountable. Once created, however, these ombudservices, commissioners, and inspectors are expected to take concrete actions in addition to issuing public reports. All can refer cases to public prosecutors or police commanders for prosecution or appropriate discipline; some can initiate prosecutions themselves; and a few provide guidance to police commanders on training, regulations, and operational tactics. To make these actions effective, however, the ombudservices, commissioners, and inspectors must work closely with police and prosecutors, compromising public confidence in their independence.
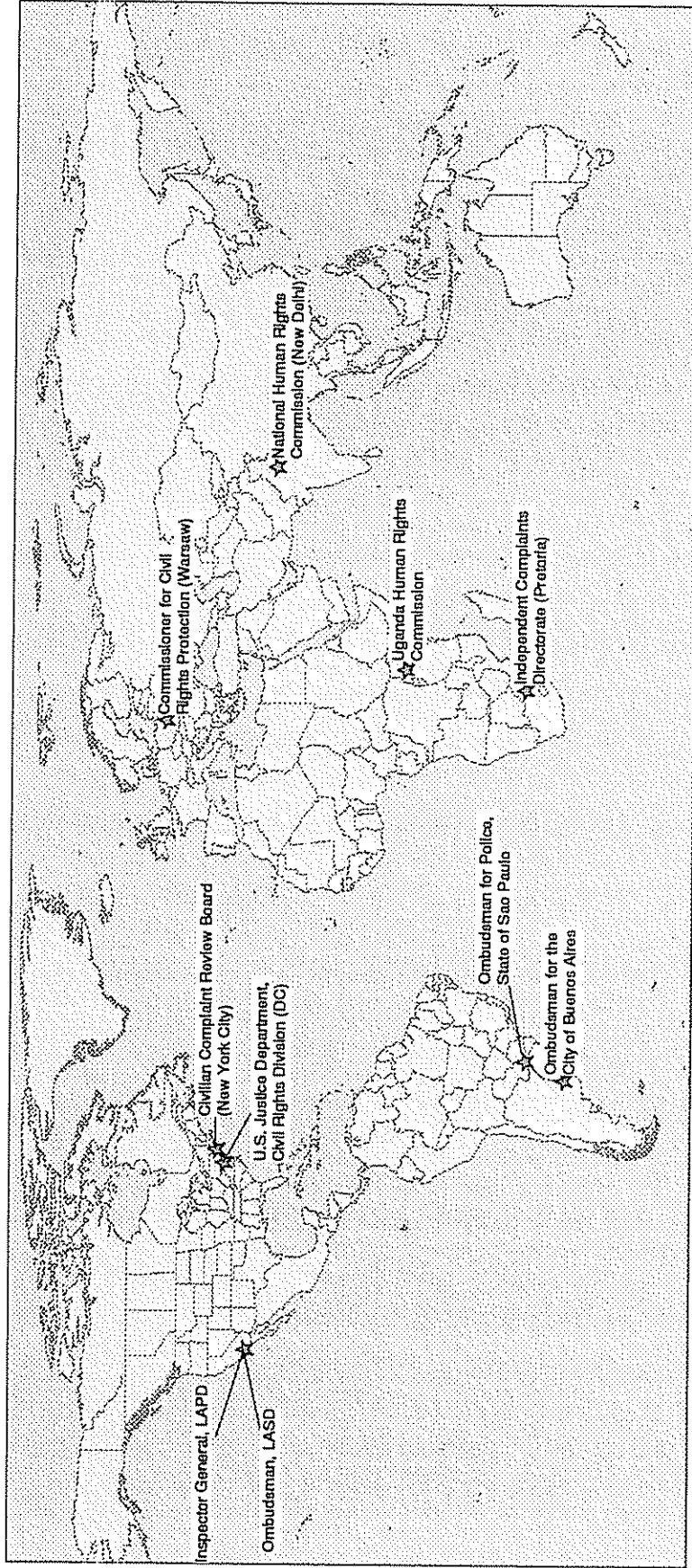
Reform through the Courts

If executive control is meant to keep police accountable to the democratically elected government of the day, then judicial oversight is meant to keep the police accountable to the rule of law. Both are essential.

Perhaps the best known mechanism of police accountability in the courts is the exclusion of evidence in criminal cases. Courts around the world are routinely asked to exclude confessions extracted through force and to exclude physical evidence found during improper searches. The exclusion of coerced confessions is widely credited with the virtual elimination of force in the interrogation of suspects by U.S. police in the middle of this century, but this form of accountability requires a determined judiciary and an effective system of legal representation for those facing criminal charges. In Russia, where forceful interrogation of suspects appears to be widespread, the courts have long had the power to exclude coerced confessions, but they rarely do so. And even in the United States, the exclusion of evidence by the courts has proved incapable of

Map B: Selected External Bodies for Investigation of Police Misconduct

Inspector General, LAPD

Ombudsman, LASD

Civilian Complaint Review Board (New York City)

U.S. Justice Department, Civil Rights Division (DC)

Commissioner for Civil Rights Protection (Warsaw)

National Human Rights Commission (New Delhi)

Uganda Human Rights Commission

Independent Complaints Directorate (Pretoria)

Ombudsman for Police, State of Sao Paulo

Ombudsman for the City of Buenos Aires

holding police accountable for improper searches and seizures of contraband or evidence.

The courts also hold police accountable through civil litigation, although this is both complicated and expensive. In most democratic countries, victims of police misconduct are permitted to sue the police for money damages, but such cases seem rare outside the United States, where a prevailing plaintiff can win attorney fees. Even where this litigation succeeds, however, it may only have a minor effect on police because the judgments are paid by the government. For example, between 1987 and 1992, the City of New York paid out more than $50 million in civil damages for police misconduct.[9] The city government had built these amounts into its budget like the other costs of doing business. Moreover, the court findings come so long after the incidents that they rarely have any value for internal management purposes in the police department.

A promising but rare form of civil litigation is brought by victims of crime against the police for failure to protect them. Victims sometimes sue the government for its failure to protect them from offenders released into community supervision, but the courts generally refuse to permit such claims. In recent years, victims of domestic violence in the United States have begun to win civil cases in which police came to their homes but ignored their request for help. The civil courts may prove a potent mechanism for women's organizations in many countries, many of which report this same indifference on the part of the police.

The most dramatic, and therefore politically powerful, manner in which the courts hold police accountable is through the public trial and criminal conviction of police officers, either for corruption or excessive force. When courts fail to convict police officers who kill civilians without apparent justification, citizens perceive a lack of commitment to democratic values. Indeed, the failure of the courts ever to convict police who kill creates a climate of impunity within which the population believes that democracy is a sham. Yet convictions are extraordinarily difficult to win. The prosecutors typically have little experience in these cases and cannot rely on the commitment of the police when they are responsible for investigating the case. Witnesses are afraid to come forward; even judges may have more loyalty to the police than to the law. Prosecution and the role of the courts in holding police accountable to the law remain weak areas in need of improvement.

Reform through Legislatures

Legislatures can expand or contract police powers. In practice, while fear of crime often prompts expansion, contraction of police powers is rare. Even in formerly authoritarian countries such as Hungary, democratically elected legislatures have given police even greater authority to detain and search suspects than they had under the previous regime.

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[9] Paul Chevigny, *Edge of the Knife*. New York: The New Press, 1995, 102.

Legislatures are therefore poor vehicles for improving accountability for misconduct, but they can improve police effectiveness where the police are reluctant or unable to address a particular problem. For example, new mandatory arrest laws in cases of domestic violence are being considered in several countries. These require police to make an arrest whenever they find reasonable cause to believe that a person has been criminally threatened or assaulted in a domestic dispute.

Legislatures are also responsible for funding police departments and can control the police by directing funds to particular stations, units, or programs. Reform of this mechanism could most effectively be pursued as part of larger efforts to reform budget analysis and allocation in legislatures generally. Finally, legislatures occasionally convene special hearings on the ability of police to protect the public or on police misconduct.

Social Control

In every democracy, civil society exercises control over government between the ritual elections. The lines of authority may be undefined, the methods improvised, and the legitimacy of the entire exercise contested, but the control of government by institutions of civil society remains an enduring feature of democratic practice.

Several institutions of civil society oversee and attempt to shape the work of the police, most notably the media, civilian review boards, advocacy and research organizations, and community-based organizations. For police officers reluctant to account to anyone other than their direct commanders up the hierarchy, relations with these institutions are particularly awkward. Their power to improve police practice is therefore largely derived from alliances they form with internal and state control mechanisms. Yet their relative independence from government and their ability to mobilize passionate constituencies make them powerful members of alliances for reform.

Reform Through the Media

Perhaps the most common complaint among reformers, both inside and outside police organizations, is that the media frustrates serious efforts at reform by focusing only on the most sensational crime of the day. Every police commander on the job for more than a few days understands that he or she is under the watchful eye of the press, but reports are often poorly informed and rarely go beyond the facts of a brutal crime. The cliché of American newsrooms, "If it bleeds, it leads," sounds a familiar note among those working on crime and policing around the world.

Media organizations themselves occasionally attempt to improve their coverage of crime and policing: sometimes through special training programs in conjunction with journalism schools, in other instances through longer term assignment of reporters to

the story or to features on police work. Police departments and police oversight agencies can also improve the coverage of crime and policing through better dissemination of information and openness to journalists. In Hungary, for example, the Center for Constitutional Law and Policy is planning a conference for police and journalists from Eastern European states and Russia to encourage further improvement of the coverage.

The explanation and dissemination of crime statistics appears to be a particularly promising avenue for the improvement of media oversight of police. Journalists report the ups and downs of crime statistics with an interest they do not show in other government statistics, yet the statistics themselves are rarely prepared or explained to take advantage of this interest. Simple compilation and explanation of statistics drawn from police reports, victimization surveys, and other sources such as medical clinics might be a powerful next step.

The media also plays a role in holding police accountable for misconduct. Quantitative data about, for example, police shootings of civilians, arrests without charge, and police discipline are rarely made public by police departments. Where there are no effective ombudservices or similar mechanisms, news reports may be the only available records of these events. The Center for Legal and Social Studies in Buenos Aires keeps a tally of police killings through such reports in the local press. And where internal affairs units and police prosecutors lack independent investigative powers, it may only be a journalist who uncovers key facts in a police abuse case.

Civilian Complaint Review

Civilian complaint review bodies receive complaints against police from the public, investigate them, and recommend discipline to police commanders when appropriate. They operate in several major cities in the United States, Canada, and Australia, and have been recently adapted for use in South Africa and other regions. Though the strength and effectiveness of these bodies vary, their existence alone provides an opportunity for civilians to participate in the disciplinary process and increases their confidence that the process is fair and objective.

The debate over how to structure civilian oversight invariably results in the following dilemma: Is it more important for the oversight body to be truly effective at identifying, investigating, and punishing police misconduct? Or, is it more important for the oversight body to be fully independent of the police organization? The answer has important implications for whom the boards or committees use to investigate the allegations they receive.

Typically, where investigators looking into civilian complaints are police or former police officials, rather than civilians, they have better access to police records and better cooperation from colleagues inside the department. Although these police investigators may be fully committed to their work, they are often perceived as biased by the fact that they are police. Whether or not this is true, the perception weakens public confidence in

the process. Yet using investigators unfamiliar with the inner workings of a department weakens the investigations themselves.

Civilian review bodies do not have the authority to discipline officers; they can only point out problems and recommend action by the department. Increasingly, however, they are offering mediation and apology as an alternative to instituting formal disciplinary proceedings. Those who complain of relatively minor offenses—insulting language, an unnecessary shove—tell researchers that they would prefer quick apology to a lengthy, formal investigation. Training mediators and expanding this alternative may prove a useful reform wherever minor complaints are drawing scarce resources away from the thorough investigation of serious misconduct.

Reform Efforts of Interest Groups and Community-Based Organizations

Human rights organizations under repressive governments have routinely observed police activities, interviewed victims and witnesses, documented police abuse, and mobilized public concern. As government becomes more open, however, these groups have started cooperating with departments to help reform policing practices. The Center for Legal and Social Studies in Argentina, for example, was formed to document and denounce human rights abuses committed under a repressive dictatorship. Today, the Center is working with local police precincts and the Buenos Aires government's Center for Citizen Participation and Control to map crime and organize neighborhood groups around crime issues. Human rights organizations in many countries—including Brazil, India, Hungary, and Russia—now participate in police training. As an end in itself, this training may not accomplish real change, but as a route to greater collaboration with police reformers, it is a promising development.

In response to the concerns of women's groups, some police departments have created special resources for female crime victims. Police departments in Brazil and India have established women's precincts—staffed mainly by women police officers— where women are encouraged to report rape, domestic violence, and child abuse. Although the women's precinct in Brazil was first praised by the human rights community because reporting of these crimes increased, there is now growing skepticism that this scheme isolates crimes against women from other types of crime. The Uganda Police Force has developed a second model for responding to crimes against women: gender desks, or family protection units, staffed by an officer, male or female, who is specially trained and sensitive to gender issues. In addition to dealing with the criminal cases in greater privacy than usual, the officer refers victims to shelters, counseling, lawyers, and other services.

In the United States, many civil rights organizations provide legal representation and support to victims of police abuse, particularly to members of ethnic or racial minorities. Many of these organizations also attempt to negotiate improvements to departmental policies to reduce tensions with police in poor and minority

communities.[10] Few of these organizations have followed the lead of some women's and human rights groups and begun work directly with police to improve police responsiveness to concerns about crime in these same communities.

Community-Based Organizations

Community-based organizations, formed around a neighborhood rather than a single issue or interest group, often rank crime and safety near the top of their priorities. In many countries, police increasingly assign officers to attend meetings of these organizations to keep them informed of police efforts in their communities. Under community policing programs, this liaison is often expanded so the department sets policing priorities with the community-based organization. In some cases, the police departments help community-based organizations establish auxiliary police programs in which uniformed volunteers patrol the area and make citizens.

As police departments gain experience collaborating with these community structures, police chiefs and political officials are expressing concern about the lack of formal legitimacy in these organizations. When the police department agrees to set its priorities with the community, what gives one group of residents the authority to represent the entire neighborhood? Some practitioners respond that so long as the organization is open to all and well publicized, those who take an active part will have earned the right to be heard. Others seek to restrict formal collaboration to locally elected officials rather than voluntary, community-based organizations.

Questions of legitimacy become troublesome when community-based organizations increase their influence by donating funds and equipment to police. Often, the "community" organized to help police in this way is the business community. In São Paulo, for example, the most active chapter of the community policing program is a group of business people from the city's center interested in keeping the streets near their offices clean, attractive, and free of loiterers.

At the opposite extreme are communities alienated from police and government. Here, local organizations may create their own police oversight committees, attempting to document instances of police misconduct in their neighborhoods.

For all of the interest in community organizations in countries around the globe, and for all of the talk of community policing over the last decade, it is striking how little assistance is available to community-based organizations on these issues. Community organizations everywhere seem to want to learn how to build effective collaborations with local police, both to improve their own safety how they are treated by police. Still, there are few organizations experienced with the police yet sensitive to community

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[10] For example, representatives of the Baptist Ministers Conference, the Urban League, the Rainbow PUSH Coalition, and the NAACP recently negotiated a set of reforms to police training, promotion, and complaint investigation with the Cincinnati Police Department following the police shooting and killing of a man a year earlier (Laura Goldberg, "Report Urges Civilian Review," *Cincinnati Enquirer*, February 11, 1998).

concerns that specialize in training and assisting such community-based organizations in this work.

Conclusion

How can the citizens of a democracy control their police? The inquiry that began with this relatively simple question may now appear hopelessly complex. It is not so.

Citizens in democracies control their police at three fundamental levels: through the department, through the state, and through institutions of civil society. Control at every level must be strong. At every level the mechanisms that hold police accountable for public safety must be coordinated with those that hold police accountable for corruption and abuse.

No one mechanism should be preferred in the abstract over the others. There is no correct mechanism with which to begin the process of reform. Where one begins is a matter of politics and opportunity.

What is most striking about the accountability mechanism discussed here is that none of them belongs only to one place. Each is being tried today in several different democratic societies. Although the local political climate, legal norms, and the individuals in each place are distinct, those working to strengthen any one of these mechanism could surely benefit from the experience of those elsewhere. Practitioners confirm this. Before the Ombudsman for Police in São Paulo set up his office in 1997, he visited civilian complaint review boards in Chicago, Washington, D.C., New York, and Atlanta to learn how it had been done before. The practices and strategies he saw gave him ideas for how to organize his own work. Equally important, information about what was done elsewhere gave him the political leverage to overcome resistance at home. Police tactics themselves are perhaps best developed at a local level, but building the structures of democratic accountability is our common project.

Map C: Selected Policing and Public Safety Research Organizations
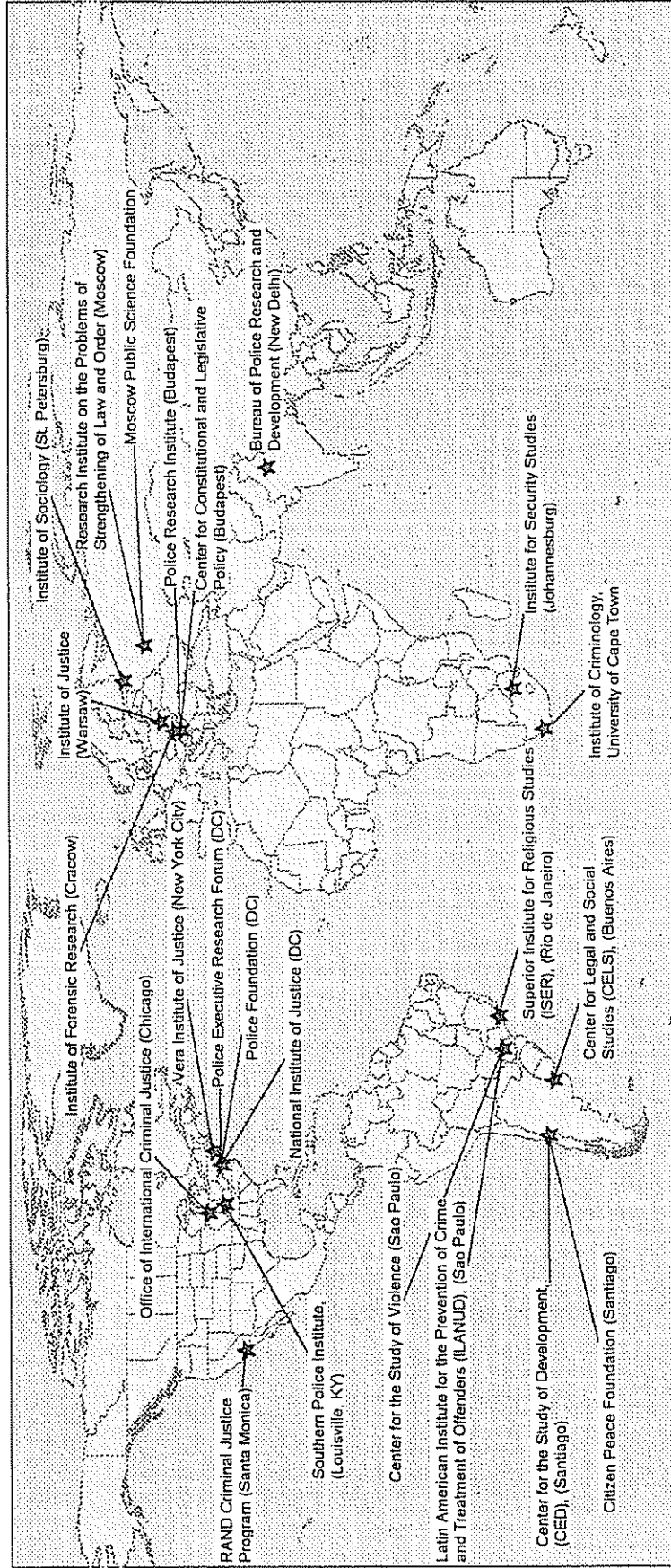
Map D: Organizations that Provide International Technical Assistance and Training to Police

Department for International Development

Council of Europe

International Law Enforcement Academy

Office of Professional Development and Training

International Criminal Investigative Training and Assistance Program

Anti-Crime Training and Technical Assistance Program

National Defense University

Inter-American Institute for Human Rights (IIDH)

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of JUSTICE
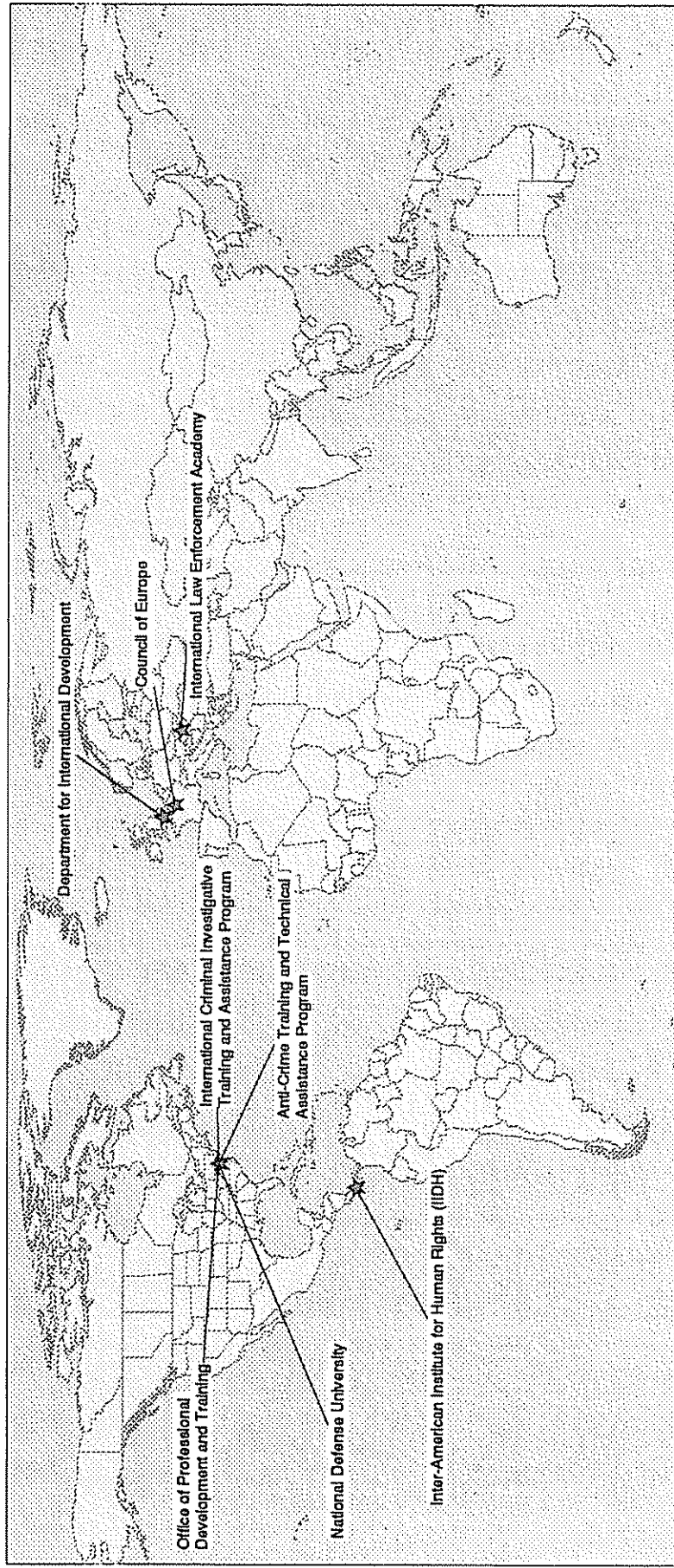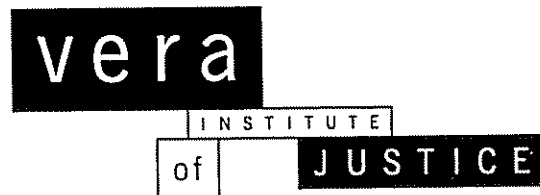
Applying the Framework:
Country Overviews

Africa South Africa, Uganda
Eastern Europe and Russia Hungary, Poland, Russia
North America United States
South America Brazil, Chile, Argentina
South Asia India

Country Overviews: Introduction

From August 1997 to January 1988, I made a series of visits, some with Chris Stone, to the countries—and more particularly, the cities—discussed in the following overviews. These visits were short, but compact. We met with police officials, human rights advocates, academics, government officials, prosecutors, and many others. The information presented here is in no way exhaustive. I have no illusions that I have been able to capture the full range of ideas or understand the complex political and social contexts of any of these jurisdictions in such little time. The purpose of the overviews is to give a working example of how the preceding framework might be used—even by a nonexpert—to measure the potential for police reform and to identify points of entry for advancing a policing approach that is both humane and effective.

Heather H. Ward

Map E: Selected Countries for Overviews
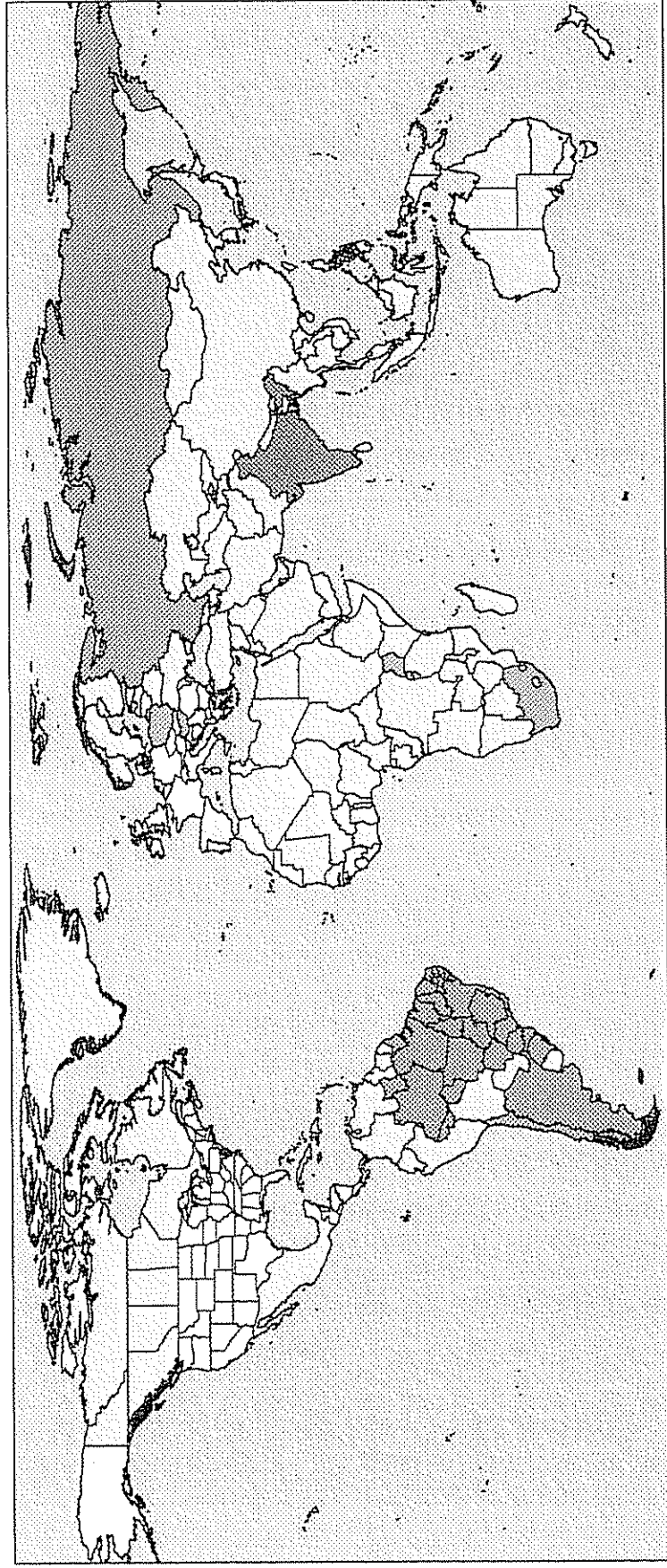
Country Overview: South Africa
Focus on Cape Town and Johannesburg

South Africans of all races and classes have experienced a surge in crime since apartheid was dismantled in 1994. In the townships, suburbs, markets, and rural areas, criminal violence has increased, offsetting the drop in political violence for some of the same areas. This increase in crime, concurrent with the incorporation of human rights in the Interim Constitution, leads many to believe that South Africa's new rights culture favors criminals over average citizens. Public demand for the police to fight crime exceeds the demand to observe human rights. As a result, the Mandela government has deployed 6,000 troops—half in the townships around Cape Town—to assist the police in a crackdown on violent criminal gangs.

The rise in crime and an escalating fear of crime have induced a crisis of confidence in the South African police. A litany of incidents contributes to the public's mistrust. On New Year's Eve of 1996, for example, a policeman from Mpumalanga police station in a township near Johannesburg took a prisoner out drinking to a local shebeen. The prisoner stole the officer's pistol and cell keys, returned to the jail, and released two other inmates.[1] Equally embarrassing was the theft of an automatic teller machine from the fourth floor of police headquarters in Pretoria.[2] Unable to trust the police for protection, citizens are turning to alternative ways of protecting themselves. Residents of white neighborhoods rely on private security guards; residents of townships rely on street committees, on neighborhood watch associations, and on neighborhood patrols, as well as on the gangs themselves. Each sometimes resorts to vigilantism.

Under apartheid, police were notoriously brutal, and it is difficult to say how much their record has improved. The Independent Complaints Directorate (ICD), which has received complaints against police since April 1, 1997, reports that 1,099 deaths occurred in police custody from April through December of that year.[3] Per month, that is approximately four times the rate reported by the South African Police Service (SAPS) between 1994 and 1996.[4] Regardless of whether the numbers reflect a true increase in deaths in custody or an increase in reporting those deaths, the rate is exceptionally high.

Reinventing the South African police as a service-oriented, democratic police force was a major focus of the peace accord that disbanded apartheid in 1994. The organization that had enforced racial inequality for nearly 50 years needed to revise its mission. Section 205(3) of the Interim Constitution spells out new objectives for the

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[1] "The rise and fall of prison escapes," *Cape Times*, January 5, 1998.
[2] Dele Olojede, "A Society Without Law and Order," *New York Newsday*, June 2, 1997
[3] Independent Complaints Directorate, "Summary of ICD Statistics—1997."
[4] David Bruce, "Concern over deaths in custody," *The Star*, July 15, 1997.

SAPS: to prevent, combat, and investigate crime; to maintain public order; to protect and secure the inhabitants of the Republic and their property; and to uphold and enforce the law. Eleven provincial forces were consolidated under a single, national command to facilitate the compliance of local police with these objectives. And to improve police responsiveness to local communities, the Constitution mandated Community Policing Forums (CPFs) throughout the country. But material and human resources limit the effect of these changes. Police who enforced the laws of apartheid under the former regime remain on the force; many are illiterate and untrained for their new mission. Few new police have been hired, and the same individuals, predominantly white, occupy senior positions.

Individuals within government, the South African Police Service, and nongovernmental organizations are engaged in many efforts to improve police skills and professionalism. Indeed, there is strong commitment to rid South Africa of its debilitating crime problem, and the most recent official statistics show that reported crime may have peaked and even decreased slightly in the last year. Still, the efforts to bring crime under control risks overshadowing the equally pressing need for police to respect the newly acquired rights of all South Africa's citizens.

Organizational Structure and Strategies

The South African Police Service is a national police force of approximately 140,000 members with responsibility for both patrol and investigation. Command is consolidated at national headquarters in Pretoria. The chief executive of the SAPS, the most senior ranking officer, reports to the national Minister for Safety and Security.

Personnel
The staff of the SAPS is largely the same as it was before 1994. An affirmative action plan to make the force more representative of the population was thwarted by a three-year hiring freeze due to lack of funds. Police officials responsible for human rights abuse under the apartheid regime were allowed to remain on the force. Hiring qualifications were never rigorous: One-third of the force lacks a high school diploma,[5] and 45,000 do not possess a driver's license.[6] Almost all nonwhite members of the SAPS, who comprise 60 percent of the force, occupy low-ranking positions.[7] Of the 50,000 white officers at the top of the command structure in 1994, 47,000 have remained in their posts.[8]

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[5] Suzanne Daley, "Apartheid's Feared Police Prove Inept and Corrupt," *The New York Times*, March 25, 1997.
[6] Lindiz Van Zilla, "At last!" *Cape Times*, May 24, 1997.
[7] Mike Brogden, "The Indigenisation of Policing in South Africa," in *Policing Change, Changing Police*, ed. Otwin Marenin. New York: Garland, 1996, 229.
[8] Daley, "Apartheid's Feared Police Prove Inept and Corrupt."

Map F: Country Overview: South Africa (Focus on Cape Town and Johannesburg)
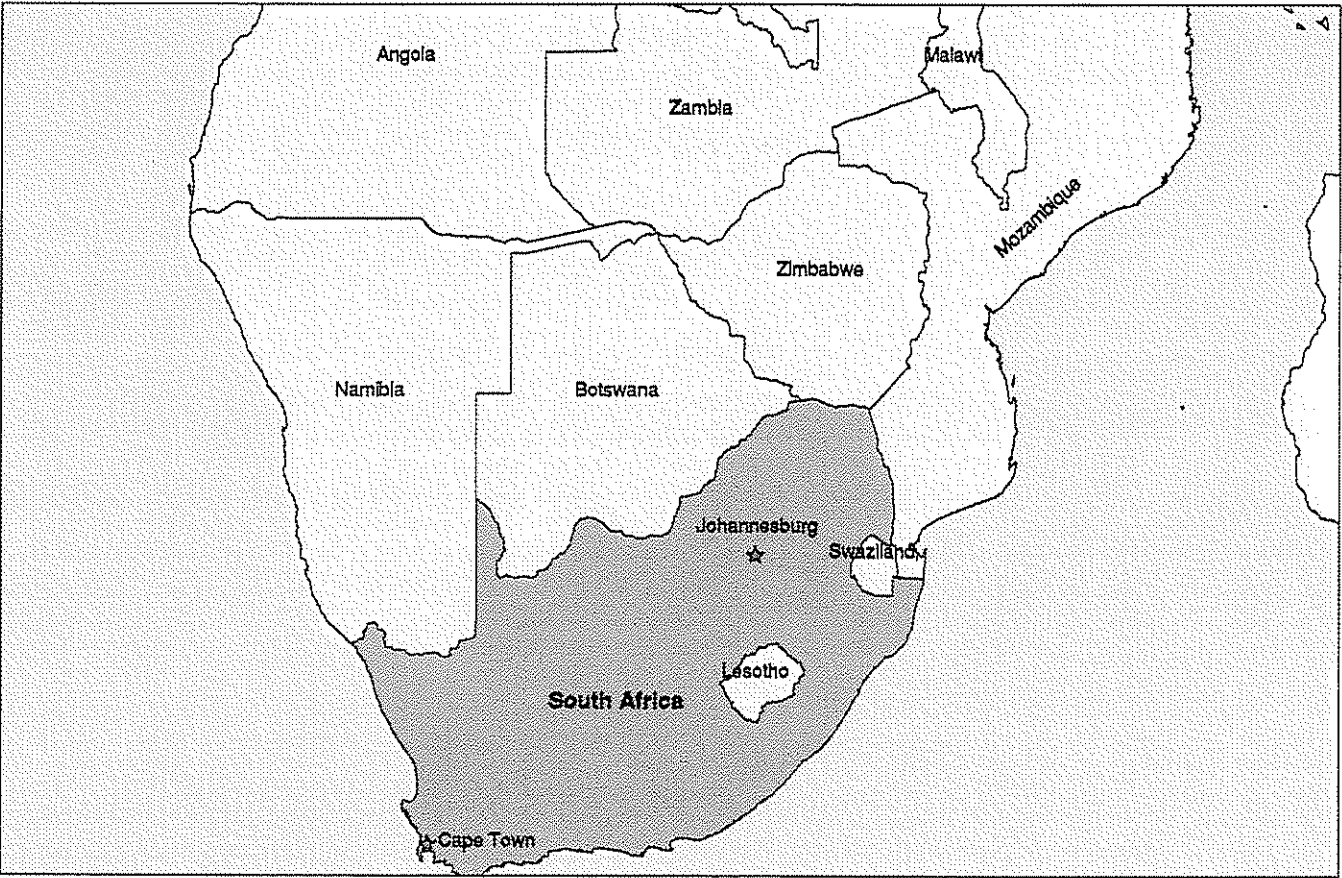
In the mid-1980s, the white government incorporated higher numbers of black South Africans into the police by creating a separate rank of kitzcontables, an inferior unit of uneducated, often illiterate, patrol constables who received little training and low pay.[9] In 1991, as a condition of the peace agreement, approximately 10,000 black kitzcontables were deputized and made permanent members of the SAPS.

Command Structure

On one hand, the SAPS is highly centralized. Provincial commanders must approve station-level administrative and operational decisions. All budget decisions, down to toilet paper allocation, are made at the national headquarters in Pretoria, where one in twelve SAPS members are based.[10]

On the other hand, the SAPS is making efforts to give station commanders more authority to respond to the needs of local communities. The SAPS annual plan for 1996-97 states that its community policing program requires "that the ability and authority to police matters of local concern be delegated to the lowest possible level at which it can effectively be performed...Local police must therefor [sic] be empowered to take responsibility and accept greater autonomy for particular matters which relate to policing at their level."[11]

Management

As public confidence in the SAPS waned, the business community in South Africa—which, by this time, included many foreign investors—recognized the importance of police in protecting their investments. The U.S.-based McKinsey & Company management consulting firm offered pro bono advice to help the SAPS identify problems and correct inefficiencies.

Between May 1996 and October 1997, McKinsey surveyed the 70 least effective and least equipped police stations in South Africa. McKinsey consultants studied how police in each station allocate their time among preventive police work, reactive police work, administration, and investigation. McKinsey also focused on the links between police performance, promotions, and salaries, and recommended the creation of an incentive-based pay and promotions structure.

Among the police McKinsey surveyed, the main complaint was lack of resources to carry out the duties expected of them. But McKinsey found that computers and uniforms were sitting in warehouses. It was clear that what little resources the SAPS possessed, they were not using efficiently. McKinsey proposed new ways to distribute and manage existing resources, rather than expand the SAPS budget to an unsustainable level.

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[9] Brogden, 229.

[10] "Your friends the police," *The Economist*, February 15, 1997, 48.

[11] South African Police Service, *Annual plan of the South African Police Service 1996-1997*, 1996.

McKinsey also attempted to help station commanders become agents of change. Based on the company's findings, every commander designed a long and a short-term reform plan, along with objective measures for monitoring progress. Effecting the changes set out in the plans was to take 12 to 18 months.

This ended McKinsey's pro bono role. They sought a paid consultancy and were turned down. They continue some work now under the auspices of Business Against Crime. In the meantime, there has been only moderate progress at the station level, depending on the commitment of individual commanders to the goals outlined in the plan.[12]

The idea of incorporating business principles in police management, however, was not lost. In the winter of 1997, the SAPS appointed Meyer Kahn, the chief executive officer of South African Breweries, to a two-year post to help the service professionalize the police and improve crime tracking. In February 1998, Kahn released the first part of his strategy, which aims to move SAPS personnel from desk jobs to beat patrols and to create "pockets of excellence" among police units throughout the country.

Crime Reporting and Analysis

While it seems obvious that crime has increased in many categories since the 1994 transition, it is difficult to compare the post-1994 rates with those reported before that year. While SAPS statistics show that crime rates are up, it is only in these last years that the police have incorporated the crimes committed in the former homelands into the national figures.[13]

The Crime Information Management Centre of the SAPS National Detective Service tracks crime figures for all of South Africa. Its report, *The Incidence of Serious Crimes*, indexes 20 violent, property-related, and commercial crimes. Between January and June of the years 1994 through 1997, the Centre reports, murder, robbery, and burglary gradually decreased, despite public perception that those crimes were on the rise. Between January and June of 1997, 11 of the 20 index crimes decreased, compared to the same period in 1996.[14]

Community Policing

The 1994 Interim Constitution requires the SAPS to adopt a community policing approach and create Community Policing Forums throughout the country. These voluntary community organizations are intended to connect the police and public, and to help them work together to resolve law and order problems. NGOs like the Centre for

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[12] Interview with Natasha Chand, Business Against Crime, November 25, 1997.

[13] During apartheid, the government established ten homelands for 75 percent of the country's population. These areas, encompassing 13 percent of the country, were intended to encourage Black South Africans to return to traditional areas of settlement.

[14] Crime Information Management Centre, *The incidence of serious crime, January to June 1997*, SAPS/SAPD, Quarterly Report 3/97, November 9, 1997, 4.

the Study of Violence and Reconciliation (CSVR) in Johannesburg contributed to the program's design by surveying community attitudes toward police and police opinions about the community. That work is reflected in the SAPS community policing objectives: a community-friendly style of policing, the establishment of police-community partnerships, a problem-solving approach to policing, empowerment, and accountability.[15]

Views about the value and success of the CPFs are mixed. Many police and citizens alike view them as a promising solution to the problems of both crime and poor police-public relations. For the public, the CPFs offer a channel for making the police more directly accountable to citizens and for giving them greater control over police conduct and operations. For the police, they are a way to strengthen public support and increase cooperation in fighting crime.

Critics, however, say that the Community Policing Forums have not fully lived up to the expectations of police or the public. Patrol officers in the township of Mitchells Plain say the forums are little more than opportunities for residents to complain about the police and to point fingers.[16] Although the CPFs there are well attended, some community members find that their opinions are not taken seriously and that they have not been able to assert any real control over police activities. Others note that, since participation in the CPFs is strictly voluntary, it has been difficult to determine whether the attendees legitimately represent the interests of their communities.

According to the director of CSVR, Graeme Simpson, the Community Policing Forums depend too much on the support of local station commanders. He finds that fewer and fewer police officials are seeing any benefit in them.[17] In Johannesburg, the CPFs seem to work best in wealthy white neighborhoods where residents marshal the attention of local police by contributing money, Simpson claims.

Researchers and activists propose several ways to improve the CPFs. One is to de-emphasize the CPFS as a political structure for representing diverse community interests; instead, police would rely more heavily on elected government leadership to ensure legitimate representation.[18] Another is to create a more direct link from the CPFs to the Independent Complaints Directorate and the Human Rights Commission—which receives complaints against police—in order to make them better watchdogs over police misconduct. Most NGOs trying to improve the CPFs, however, are working within the existing structure to increase participation, train leaders, and build greater organizational capacity.

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[15] Centre for the Study of Violence and Reconciliation, "Introducing Community Policing," [no date].

[16] Interview with patrol officers, Mitchells Plain Township, November 24, 1997.

[17] Interview with Graeme Simpson, director, Centre for the Study of Violence and Reconciliation, November 25, 1997.

[18] Interview with Mark Shaw, Institute for Security Studies, November 25, 1997.

Internal Control

Until October 1996, a Police Reporting Officer (PRO) board received complaints from the public against police, investigated them, and recommended disciplinary action when appropriate. The new Independent Complaints Directorate, an independent, external investigative structure, has assumed most of the PRO board's responsibilities. Other duties have been passed to the political structure responsible for the SAPS, the National Secretariat for Safety and Security.

The task of weeding out corruption from the SAPS ranks still falls upon internal anticorruption units. The SAPS annual plan for 1996-97 stated that targeting corruption is one of the service's "key objectives." That year, the SAPS planned to "increase the capacity and investigative capabilities of the anticorruption units; raise the public's awareness of corruption and the need to expose it; and enhance witness protection programmes..."[19]

The executive director of the ICD, Neville Melville, says the SAPS internal disciplinary system is insufficient. In some cases, members of the service commit abuses on orders from superior officers. And there is no system for attributing guilt to those who order or overlook the wrongful acts; there is no penalty for bad or irresponsible management.[20]

State Control

Executive

Political Officials. The highest ranking sworn officer of the SAPS reports to the national Minister for Safety and Security. The civilian national commissioner for the SAPS, who supervises all of the provincial commissioners, and the Secretary for Safety and Security also report directly to the Minister.

The present Minister for Safety and Security, Sydney Mufamadi, shows interest in improving the effectiveness and responsiveness of the SAPS. On the recommendation of McKinsey, the private consulting firm, Minister Mufamadi proposed a cash incentive plan to reward police officials for outstanding work and good conduct. But because of a persistent budget crisis, it seems unlikely that the plan will ever go forward.[21]

In March 1995, the Departments of Corrections, Defence, Intelligence, Justice, Safety and Security, and Welfare joined efforts to adopt a National Crime Prevention Strategy. The strategy's chief objectives are to: coordinate crime control policy, stimulate initiatives at the provincial and local levels, launch a series of national programs to

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[19] South African Police Service, 17-18.

[20] Interview with Neville Melville, executive director, Independent Complaints Directorate, November 26, 1997.

[21] "No cash for police 'rewards' system," *Mail & Guardian*, November 12, 1997.

energize various government departments, mobilize the participation of civil society, and build the permanent capacity for crime research and prevention programs.[22]

The various ministries are participating in the strategy, along with several nongovernmental actors, in recognition of the fact that crime is deep-rooted and cannot be controlled by police alone. The plan is based on the idea that, "to effectively reduce crime, it is necessary to transform and reorganize government and facilitate real community participation."[23] To that end, numerous NGOs are contributing to the effort by organizing public forums on crime and safety and by offering policy advice.

Independent Complaints Directorate (ICD). The Independent Complaints Directorate began receiving complaints related to police misconduct, abuse, and killings on April 1, 1997.[24] Under Section 222 of the Interim Constitution, the ICD is required to investigate all deaths in police custody and may investigate other forms of misconduct. All complaints related to poor police service are referred to the respective police station commander.

If, after its investigation, the ICD finds a complaint against a police officer involving a criminal offense credible, it forwards the case to the attorney general for possible prosecution. The attorney general decides whether or not to prosecute, but does not conduct another investigation. If the complaint is not for criminal behavior, then the ICD investigates the claim and may forward it to the SAPS commissioner or the Minister for Safety and Security with a recommendation for disciplinary action.

Eighty percent of the ICD's investigators are former police officials. This has been the source of criticism from people who expect the investigators to sympathize with the police. But executive director Neville Melville claims these criticisms are countered by the fact that the investigators are highly effective. So effective, perhaps, that police have taken a strong dislike to them. Many of the investigators have been intimidated and threatened, the office has been broken into and defaced, and some staff have requested firearms for their protection.[25]

Staff and budget restrictions prevent the ICD from taking on as many cases as it could. In December 1997, the ICD had 82 staff members, but a government study found that at least 340 investigators were needed to carry the current workload, which is only a part of the agency's overall responsibility. As a result, the ICD now prioritizes complaints, treating deaths in custody and severe beatings with the most urgency. The ICD initiates investigations based on reports from police, referrals from the Minister for

[22] Business Against Crime, "National Crime Prevention Strategy Summary," http://www.web.co.za/bac/ncps.htm.
[23] Business Against Crime, "National Crime Prevention Strategy Summary."
[24] For a detailed explanation of the Independent Complaints Directorate, see Thomas E. Perez, "External Governmental Mechanisms of Police Accountability: Three Investigative Structures," working paper for the project on Police in Democratic Societies: Advancing Accountability and Public Safety, Vera Institute of Justice, March 1998.
[25] Melville, interview.

Public Safety, newspaper accounts, and a few letters received from the public. The caseload would increase exponentially if the ICD were to begin raising public awareness or soliciting complaints from the public.

The ICD also lacks the capacity to track the outcomes of its investigations. Melville says that he and his staff make many recommendations for prosecution and disciplinary action, but they are unaware of how the cases are disposed. In order to keep track of data and identify trends, which would help him improve the ICD's effectiveness, Melville says he needs computers and the help of outside researchers.

Human Rights Commission. South Africa's Human Rights Commission was established in 1996 to investigate complaints of human rights abuse. Since the ICD opened, however, the Commission has forwarded to them all complaints against members of the SAPS. Currently, the Commission organizes and provides human rights training for police officers and commanders.

Judicial

Police accused of criminal offenses are tried in ordinary civilian courts, although prosecutions rarely succeed. Although there is no feedback mechanism for the ICD to know precisely how the cases are disposed, Melville estimates that only 10 percent of the agency's referrals result in conviction.

In addition, victims of police abuse may pursue monetary damages in civil suits against police. In January 1997, the SAPS revealed that between March 1995 and July 1996, courts ordered the service to pay 14 million Rand, or approximately US $2.8 million, to victims of illegal arrest, detention or prosecution, traffic accidents, shootings, assault, and property damage caused by members of the SAPS. A spokesperson for SAPS says that the national support services unit will begin reviewing these costs every three months and that the service will carry out arrest training in order to minimize future losses and civil claims.[26]

Social Control

Community-Based Organizations

Except for the enforcement of segregation, the apartheid government widely ignored governance of the townships. Local, community-based structures—such as people's courts—filled the void. In the absence of a state police in the townships to deal with public order, some communities created volunteer police.[27] In many respects, these parallel structures were the purest articulation of direct, participatory democracy. Once

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[26] "Police pay out R66m in 'avoidable incidents,'" *The Star,* January 21, 1997.
[27] Brogden, 239.

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the national government became democratic, the demand for community-based structures seemed less immediate and many of them dissolved. National, provincial, and local governments took their place, but democratic governance through official structures still requires a mechanism for representing local needs and interests. In some areas, Community Policing Forums have assumed this responsibility.

People Against Gangsterism and Drugs (PAGAD) is a group, based in the townships of the Western Cape province, that calls for police to crack down on gangs and drug trade. However, it is led by former gangsters who claim to be reformed and PAGAD's tactics are questionable. Police, community, and human rights organizations have criticized PAGAD members for using intimidation and violence against suspected gang members.[28]

Human Rights Organizations

The Mandela government's strong commitment to human rights and democracy has encouraged some human rights organizations to engage directly with the government and, in a few cases, the SAPS. Simpson says that it has been difficult for the CSVR to gain access to the police through the "front door," but the Centre has had some success through other entry points, such as training and providing police with useful information and research. The groups that have proved most successful in working with the police, according to Simpson, are those able to deliver public support to the police. But before any of these efforts could move forward, he says, they first had to build trust between police and the public. The following are some groups currently working with the SAPS to advance police reform and public safety.

The CSVR trains SAPS personnel in community policing strategies, crime analysis, and bookkeeping. The Centre's Policing Research Project aims to build capacity and organizational skills among members of Community Policing Forums, especially women. And its trauma clinic focuses on women and children who are crime victims.

The CSVR's Crime Prevention Program works on criminal justice policy, victim assistance and empowerment, and youth programs. Like several other human rights organizations, the Centre's emphasis is shifting to include police responsibility for public safety, not just respect for human rights. Simpson is wary of this shift, however, and sees it as a potential threat to South Africa's nascent human rights culture. The public demand for protection from crime—and for hard-nosed policing tactics—is likely to replace the demand for human rights.

Idasa, another advocacy organization, also has shifted its focus to address crime and safety issues. During apartheid, Idasa was a forum for introducing democratic reforms and promoting dialogue. Now, the organization focuses on consolidating those reforms and on helping communities realize the benefits of democracy and human rights.

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[28] U.S. Department of State, *South Africa Country Report on Human Rights Practices for 1996*, January 30, 1997.

Idasa's Community Safety Unit conducts public opinion surveys on crime and attitudes toward the police. Like the CSVR, Idasa is working with Community Policing Forums to increase participation, train new leaders, and improve their management capacity.

Idasa also plans to train citizens in Constitutional rights, particularly the rights of accused persons in detention or under arrest. The citizens will then become "community visitors" with certification by local police or a municipal council and will be allowed to make random, unannounced visits to police stations to observe conditions and treatment of detainees.

Business

Business Against Crime (BAC), a nonprofit collective of business leaders, works with senior police officials to help the government better manage crime reduction. The organization receives funds from corporate sponsors and channels corporate donations to the police. Through BAC, the BMW corporation, for example, has provided the Johannesburg police with several BMWs for chasing and catching carjackers.

Media

The South African media is independent and critical; it reports regularly on crime, · police effectiveness, and police misconduct. Daily crime blotters in the Cape Town and Johannesburg newspapers list one gruesome account after another. Few stories, however, include analysis of the crime problem and police responsiveness to it. It would be more helpful to police and those interested in advancing effective public safety policies if reporters shifted from reactive reporting of individual crimes to proactive reporting that encourages preventive approaches.

Country Overview: Uganda
Focus on Kampala

Following a succession of repressive, brutal dictatorships that ended with the fall of Milton Obote in 1986, the public had lost all confidence in the Ugandan police. Since then, under reformist President Yoweri Museveni, police have made strenuous efforts to restructure the organization, retrain personnel, and reinvent their image. The Museveni government has removed some unnecessary and incompetent staff, subjected all officers to regular transfers to prevent corruption, and created human rights training programs. Today, observers say the Uganda Police Force (UPF) is the best in East Africa,[1] and neighboring states send their police to Uganda for training.[2] Indeed, within the government and among many senior police executives, there is political will to make the Uganda Police Force (UPF) more effective and more humane, and to lead the rest of Africa by example.

The new and improved UPF owes much of its progress to the influence of NGOs, women's groups, and the media. The 1995 Ugandan Constitution guaranteed the autonomy of NGOs and since then, human rights and women's organizations have multiplied and flourished. The media does not enjoy a similar guarantee: Old censorship laws remain in the books and are occasionally used to prosecute impolitic reporters. Despite the risk, journalists typically are outspoken about police performance and abuse.

These organizations, however, have limited impact beyond the capital, Kampala, where they are based. Ninety-five percent of Uganda's people live in rural areas and are largely unaware of their rights to complain about police abuse to local government officials or to demand more from their police. Instead, they often take matters into their own hands. It is not uncommon for vigilante groups in rural Uganda to punish a criminal suspect when police efforts fail, or to attack an abusive police official when the state fails to hold the officer accountable.[3]

Attempts to improve police-public relations and to increase police accountability clearly are having an effect in Uganda. The UPF has instituted a comprehensive, if secretive, disciplinary system; the government has built structures for conducting external investigations of police misconduct; and NGOs have made great strides in bringing police and citizens closer together. What is lacking, says one human rights

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[1] Namanya Johnson, "Uganda Police best in E. Africa," *The Monitor*, August 30, 1997.
[2] Tolit Olwor-Atiya, "Uganda to train Congo-Zaire police," *The Monitor*, June 1, 1997.
[3] U.S. Department of State, *1996 Human Rights Report: Uganda*, 1997.

advocate, is coordination among these three levels that would help them all work more effectively.[4]

Organizational Structure and Strategies

Uganda Police Force

The Uganda Police Force is Uganda's only police entity, responsible for patrol and investigation for the entire country. The UPF has worked to rebuild itself from a low point in 1986, when only 3,000 police officials remained after those responsible for serious human rights abuses under the Amin and Obote regimes were purged. Today, there are approximately 15,000 police throughout Uganda.

Generous foreign assistance has helped the UPF rebuild and reorient itself since President Museveni came to power. The British government in particular has advised the UPF on setting up a community policing program and on building the capacity to analyze information and plan for the long term.

Despite vast improvements, the UPF still has problems. Torture, mistreatment, and corruption persist, causing citizens to mistrust the police. Morale on the force has dropped because of low salaries and poor conditions in the UPF barracks, where most officers live. In this environment, a senior officer says, it is difficult to motivate police to do anything more than the minimum their jobs require.[5]

Community Policing. In 1990 and 1991, tension between Uganda's Muslim community and the police resulted in several deaths on both sides. To ease the conflict, senior police leaders looked for a way to encourage Muslims and police to talk to each other. What they developed was the foundation for a community policing program.

Several months after the conflict, the British Department for International Development sent an advisor to help institutionalize the program and replicate it throughout Uganda. The first experiment was in Kampala, where police named members of the community to be "crime preventers" and assigned UPF officers to work with the public on community improvement projects.

Initially, the program met resistance from both the public and the police. To the public, community policing seemed like a purely British convention. No one conducted a preliminary needs assessment to see if community policing was something the public even wanted. Meanwhile, the police perceived community policing as an anticorruption crusade. Officers assigned to foot patrol or to working on community projects felt as if they had been demoted.[6]

[4] Interview with Livingstone Sewanyana, director, Foundation for Human Rights Initiative, November 20, 1997.
[5] Interview with Richard Nabudere, Assistant Commissioner of Police for Research, Planning and Inspectorate, Uganda Police Force, November 21, 1997.
[6] Interview with Sam Tindifa, Human Rights and Peace Centre, Makarere University, November 20, 1997.

Map G: Country Overview: Uganda (Focus on Kampala)
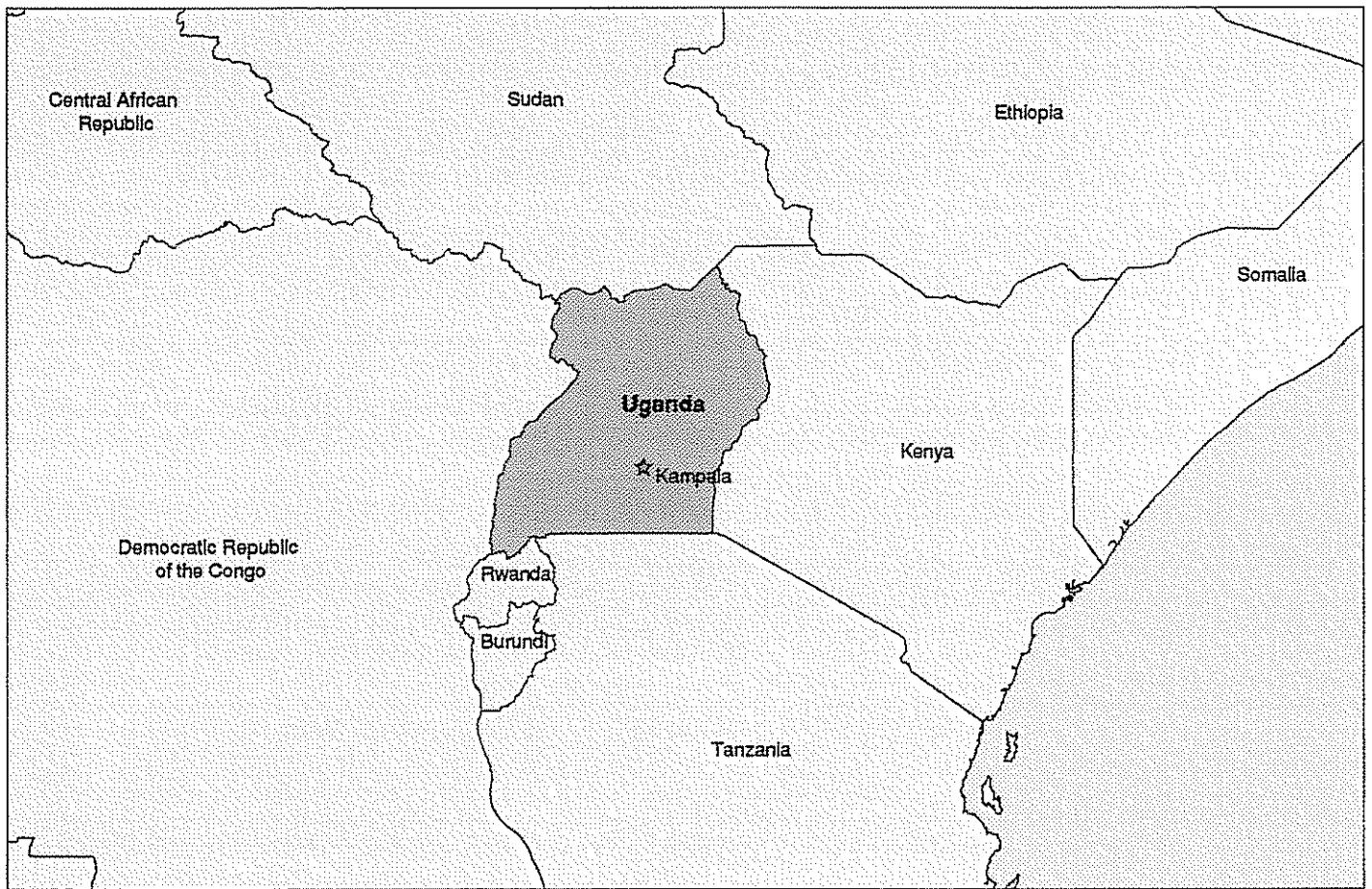
Since 1994, however, the program has overcome many of its initial problems. The UPF has adopted community policing as the core of its policing strategy; there is more comprehensive training to introduce personnel to the community policing concept; and officers are starting to see how their work can improve with better cooperation from the public.[7]

The UPF has tried to learn from its early results. One of the first conclusions was that community policing works best in medium to large-sized urban or semi-urban areas where people live near each other, share common problems, and form part of an existing political structure that can legitimately represent the public's interests. Residents of these areas are also more concerned about crime and more accustomed to relying on police for protection. Where the population is more rural or even seminomadic, community policing requires a stronger effort to organize the public.

Under the current program, a Community Liaison Officer (CLO) in each of the country's 44 districts administers the program, assisted by a staff of about four other officers. The CLOs are required to convene a public meeting at least once a month and to report how many residents attend. Although CLOs are a critical part of the program, the national director, Azan Ksingye, stresses that the Ugandan version of community policing does not add on duties. "Every policeman," he says, "is a community policing officer."[8]

Rural Policing. Outside of Kampala, citizens are concerned with a different set of problems, such as livestock theft, grazing rights, and land ownership. The UPF is not equipped to deal with these problems. As a result, auxiliary police or vigilante groups form in the absence of government security. In these areas, the UPF has only a minimal presence.[9]

In some rural areas, the UPF has established Local Defense Units (LDUs), the rural component of the community policing program. LDUs are small groups of civilian volunteers, sometimes paid, who are trained to assist local police with patrol of rural areas and small villages. LDUs do not have full police authority and they call in UPF officers when necessary. Where residents once felt neglected, the LDUs make it possible for the police to have a round-the-clock presence. Human rights observers note, however, that poorly trained and unsupervised LDUs have occasionally been responsible for mistreating suspects and detainees.[10]

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[7] Interview with Asan Kasingye, Officer in Charge, Community Policing, Uganda Police Force, November 21, 1997.
[8] Kasingye, interview.
[9] Tindifa, interview.
[10] U.S. Department of State, *1996 Human Rights Report: Uganda*, 1997.

Responsiveness to Women

In 1995, the UPF began placing a family protection unit in every precinct. It consists of an officer or group of officers designated to receive complaints from women related to rape, spouse abuse, or child custody. When the units were first established, they were called "gender desks" and were staffed only by women police officers. Under criticism from women's organizations that the gender desks only sidelined crimes that victimize women, the UPF started assigning both women and men as family protection officers. The name was changed to emphasize how crimes against women affect the entire family.

Family Protection Officers work closely with grassroots women's organizations to educate women about crime and about the family protection program. Reporting of all crimes, not just those against women, has increased since the UPF adopted the units.[11]

Research and Planning

A special research and planning department helps UPF leaders identify problems, manage and analyze information, monitor new programs, and develop long-term organizational strategies. Richard Nabudele, director of research and planning, says that until recently, the UPF only planned for the short term; today, they think about strategies five years in advance. The research and planning unit tries to maximize its impact by coordinating new strategies throughout the department. Researchers hold focus groups with different divisions and ranks of officers to hear their views on problems and potential solutions. Nabudele says that he makes sure that the information his unit generates does not just sit on the desks of senior officers, but that all members of the force know about and are oriented toward the same objectives.[12]

The organization's current programs focus on crime fighting, public order maintenance, traffic control, and community relations. A major emphasis of UPF strategy today is citizen participation in public safety. In addition to the expanding community policing program, Nabudele and his colleagues are developing a manual for anyone arrested by police, informing them of their rights. They are also creating a manual for police on proper conduct. Nabudele says that community participation is critical to ensuring accountability. He hopes next to establish an independent public complaints system. On the crime-fighting front, the UPF is trying to increase clearance rates with help from a new Criminal Investigation Department (CID), a special unit of skilled detectives. The CID will specialize in fraud and corruption cases, including police corruption.[13]

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[11] Kasingye, interview.
[12] Interview with Richard Nabudere.
[13] Nabudere, interview.

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Internal Control

The 1993 Police Statute includes a 15-point Code of Ethics requiring all UPF officers to uphold their professional obligations to maintain order and prevent crime and to do their jobs fairly, honestly, respectfully, and responsibly.[14] The Police Statute also establishes a disciplinary unit to oversee compliance with the Code and to refer noncriminal cases to the Police Authority, an internal administrative court. Although some human rights monitors acknowledge that the internal disciplinary process may be effective, they criticize it for being hermetic, inconsistent, and dependent on the discretion of individual officers.

It is the duty of any Uganda Police Force officer to file a written report of any complaint made by a member of the public against another police officer. The reports are then submitted to the Officer-in-Charge for Public Relations, who reviews them and forwards them to the Police Authority. If the complaint involves a violation of human rights, then it is turned over to the Uganda Human Rights Commission or to a criminal court.

State Control

Executive

Uganda Human Rights Commission. The Commission was established under Article 51 of the 1995 Ugandan Constitution to oversee police compliance with the Constitution, the Police Act, and international human rights agreements to which Uganda is party. Presently, the Commission consists of seven members, each serving a renewable six-year term, who are appointed by the president and confirmed by Parliament. Once confirmed, the members are supposed to work independently of any government control. A citizen may register a complaint with Commission directly, either by mail or in person, but complaints are not required for commissioners to launch their own investigations into police abuse. Members of the Commission make unannounced visits to police stations to inspect conditions and observe the treatment of detainees. If they find evidence of mistreatment, they can order victims to be released.

In addition to its investigative capacity, the Commission also sits as a court and has the authority to subpoena testimony. Its findings, however, are not binding. The Commission can recommend punishment, but cannot enforce it. If the Commission finds that a police officer is responsible for human rights abuse, it also can order the force to compensate victims. The Commission currently sits in Kampala, but eventually will have offices in every province.

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[14] Uganda Police Force, *Annual Policing Plan 1998/99*, unpublished draft.

Inspector General of Government. The IGG receives complaints from citizens regarding violations of administrative rules by any government employee, including police. Established in 1988 to counter corruption and abuse of power, the IGG functions independently of any other government office and controls its own budget. The President appoints the inspector general, subject to the approval of Parliament. Originally, the inspector general submitted his reports to the president's cabinet, but the 1995 Constitution requires the IGG to report directly to Parliament.

The public relations officer of the IGG, T. Silver Kangaho, says that most of the complaints the IGG receives against police relate to corruption, sexual harassment, or the ineffectiveness of the internal disciplinary system. When the IGG detects a problem, either on its own or as the result of public complaints, it sends one of its 50 inspectors to investigate. The IGG may then recommend that the Police Authority take disciplinary action or, if the complaint is for a criminal offense, refer the case to a public prosecutor. In either event, the IGG may recommend appropriate punishment. Kangaho says few complaints have resulted in prosecutions, however, because the office is relatively new and because prosecution is expensive.[15]

The IGG performs one other important monitoring role. The 1995 Constitution contains a Leadership Code, which sets guidelines for the conduct of public officials. In the police force, anyone above the rank of inspector is a "leader" and is subject to the terms of the Code. All leaders are required to submit financial statements to the IGG annually. If inspectors detect illicit gains, they may open an investigation.[16]

Judicial

If the Uganda Human Rights Commission or the Inspector General of Government determines that a police official is responsible for a crime, they may submit the case to a criminal court. All criminal cases, including those involving police, are prosecuted by the Director of Public Prosecution. Arrests of accused police officers and investigations into allegations against them are made by other UPF officers. Police make arrests and complete investigations before the court hands the case over to the public prosecutor. Public prosecutors do not have the authority or staff to investigate cases independently.

Sam Tindifa, a law professor at the Human Rights and Peace Centre of Makerere University, says that no police official has ever been prosecuted for torture, although some have been arrested for killings that involved torture. Tindifa says police are routinely charged with crimes less serious than torture, but he has never heard of a single conviction. Since the judicial process is long, sometimes taking several years to

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[15] Interview with T. Silver Kangaho, public relations officer, Inspector General of Government, November 20, 1997.
[16] Kangaho, interview.

process a single case, no one ever knows the outcome. Neither the press nor human rights monitors keep track of police acquittals or convictions.[17]

Victims of police violence may sue the police force for damages in a civil court. However, the cases are entirely separate, and the civil suit may not be filed until the outcome of a criminal suit is final. The high cost of suing—legal fees and court costs average about $6,000—deters most victims from pursuing civil claims.[18]

Legislative
In the Police Act of the 1995 Constitution, the Ugandan Parliament established clear definitions of police responsibilities and limits to police powers. The Act prohibits police from making arrests without sufficient evidence and limits to 48 hours the time that police can hold suspects before presenting them to a judge. Aside from lawmaking, Parliament does not exercise any direct control over the police.

In 1987, the Museveni government created new legislative bodies at the community level called Local Councils. Members of the Local Councils are elected by the residents of their communities, each of which consists of about 300 people. The Councils are responsible for monitoring the performance of all other government officials, both federal and district. On every Local Council sits a secretary for defense, who acts as a liaison between police and the village. The secretary is supposed to witness all arrests and generally oversee police operations.

Social Control

Throughout Uganda, human rights and women's NGOs bear one striking feature in common: They are all less than 10 years old, a testament to the repressive social control Ugandans lived under until recently. With that in mind, it is easy to see why many Ugandans are still reluctant to trust government or to challenge authority. Some organizations, however, are actively trying to bridge the distance between people and a government that says it wants to serve them. Their main frustration, according to many activists, is the lack of public education about rights and the responsibility a democratic government bears to observe them.

Human Rights Organizations
The Human Rights and Peace Center (HURIPEC) at the Faculty of Law of Makerere University in Kampala sponsors conferences on human rights and publishes the *East African Journal of Peace and Human Rights*. Professors at the Centre have closely followed the process of police reform, the development of accountability structures, and

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[17] Tindifa, interview.
[18] Interview with Norah Matovu Winyi, national coordinator, Human Rights Network (HURINET), November 20, 1997.

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police strategies to address public safety concerns. One professor recently co-authored an impact study of the UPF's community policing programs with directors of the British community policing assistance program.

The Foundation for Human Rights Initiative (FHRI) works with both police and communities to improve relations between the two. FHRI sponsors workshops to build organizing skills in the community and to educate the public about human rights. FHRI also sponsors training courses at the police academy for community policing officers. The aim of the course is to teach police about their role in a democracy and about how public participation can help them improve public safety.

Women's Organizations

The Uganda Association of Women Lawyers (FIDA) works to improve police response to women and to local communities. Lawyers at FIDA say that the Ugandan police are becoming more oriented toward public service. Now, when police officers respond to a domestic dispute, a FIDA representative accompanies them, helps resolve the dispute, and refers victims to other social services. FIDA is also training family protection officers to improve their response to women who report crime.

Police, lawyers, and human rights advocates all claim that FIDA deserves the credit for a dramatic improvement in police-community relations. FIDA hosts workshops for police, prison officials, soldiers, and judges to educate them about changes in the law and to discuss problems they face in their work. FIDA also holds workshops for members of the public to heighten awareness of laws, rights, and crime problems. A Community Liaison Officer attends these workshops and teaches citizens how they can help prevent and solve crime.

Another factor in FIDA's success may be that the organization tries to include men. FIDA lawyers sometimes represent husbands in custody battles or male victims of domestic violence, and FIDA social workers offer marital counseling for both partners.

Media

The Ugandan government does not guarantee freedom of the press. A law banning sedition, an artifact of previous regimes, remains in effect but is not enforced consistently. Human rights observers note a tendency among Ugandan reporters to censor themselves. Others, like those at *The Monitor*, continue to risk criticizing the government.

With Uganda's low literacy rate of 56 percent, radio is an increasingly popular and effective forum for discussing human rights and policing. It also is a promising way to reach the large rural population. Every Saturday morning, the Foundation for Human Rights Initiative broadcasts a program on human rights, followed immediately by a UPF show on policing. As a result, police respect for human rights often is the focus of debate on the later show.

Some observers believe that a more open political environment—one that guarantees free expression and a free press—would be the best possible guarantee of police accountability in Uganda.

Country Overview: Hungary
Focus on Budapest

Relative to most other countries, Hungary is not a dangerous place. But citizens who have seen the national crime rate more than triple since the country's shift towards democracy beginning in the 1980s do not feel safe.[1] The social and economic changes that accompanied political liberalization have given rise to new varieties of crime. Property crimes and economic crimes—fraud, embezzlement, and default, for example—are more common today, violent crime increased 20 percent between 1995 and 1996,[2] and all crime seems more random than before. Police are struggling to keep up with the changing nature of crime.

The Hungarian National Police (HNP) is trying to meet new demands while holding on to its legacy as a powerful and respected institution. István Szikinger, a constitutional law scholar, thinks that police exaggerate the threat of crime. Since the state no longer relies on the police to enforce the political status quo, police need crime in order to justify their budget, staff, and the expansion of police powers.[3]

It is ironic that as the Hungarian state becomes more democratic and more committed to political and civil rights, the police are gaining more authority and discretion. The danger in this, warns Szikinger, is that broader police powers create more opportunity for abuse.[4] Prior to passage of the Police Act in 1994, for example, the HNP could place anyone in "public security detention" without access to counsel and without notifying their relatives for up to eight hours; the Act extended the period to 12 hours, even though police officers said they did not need more time.[5] The authority to check identification alone creates opportunity for abuse, since police mainly stop people who appear to be homosexuals, drug users, prostitutes, or any member of the Roma, Hungary's largest ethnic minority. If they do not produce valid documents, they can be arrested, searched, and—if charged with a criminal offense—kept in police custody until their trials.

Estimates on the extent of police corruption vary. Experts at the Police Research Institute say it is still relatively scarce, while some HNP officers say it is common for

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[1] István Szikinger estimates that in 1984, 1470.5 crimes occurred per 100,000 people and in 1992, 4326.3 crimes occurred per 100,000, an increase of 340 percent. See István Szikinger, "Challenges of Policing Democracy in Hungary," in *Challenges of Policing Democracies: A World Perspective*, Dilip Das and Otwin Marenin, eds. Newark: Gordon and Breach, forthcoming.

[2] Szikinger, "Challenges of Policing Democracy in Hungary."

[3] Interview with István Szikinger, staff attorney, Institute for Constitutional and Legal Policy (COLPI), January 29, 1998.

[4] Szikinger, interview.

[5] Szikinger, interview.

corrupt patrol officers to increase their salaries—which start at US $80-100 per month—tenfold.

Police commanders complain about the low pay scale and equipment shortage, despite the outpouring of international assistance the HNP has received from the British, American, and Dutch governments and the Council of Europe since the early 1990s. Indeed, the use of foreign assistance is telling. The captain of a special detective unit can only use two of his six car fleet because he cannot afford to repair the other four, while the new police headquarters building, a 53,000 square meter structure with 25,000 square meters of glass and marble facing, includes a gym, cafeteria, simultaneous translation booths, and a concert piano. The stated goals of the foreign assistance programs have been to provide new training courses, implement community policing programs, and give technical and management advice.

Working with foreign advisors and on their own, a handful of senior HNP officers seem poised to lead the force into a new phase. At both the village and national levels, there is interest in adopting a community policing approach. One human rights organization has entered into an agreement with the HNP to monitor police behavior and treatment of accused persons. At a minimum, these are signs that some individuals within the HNP are open to outside input and even scrutiny, a critical step towards becoming a more responsive and accountable police force.
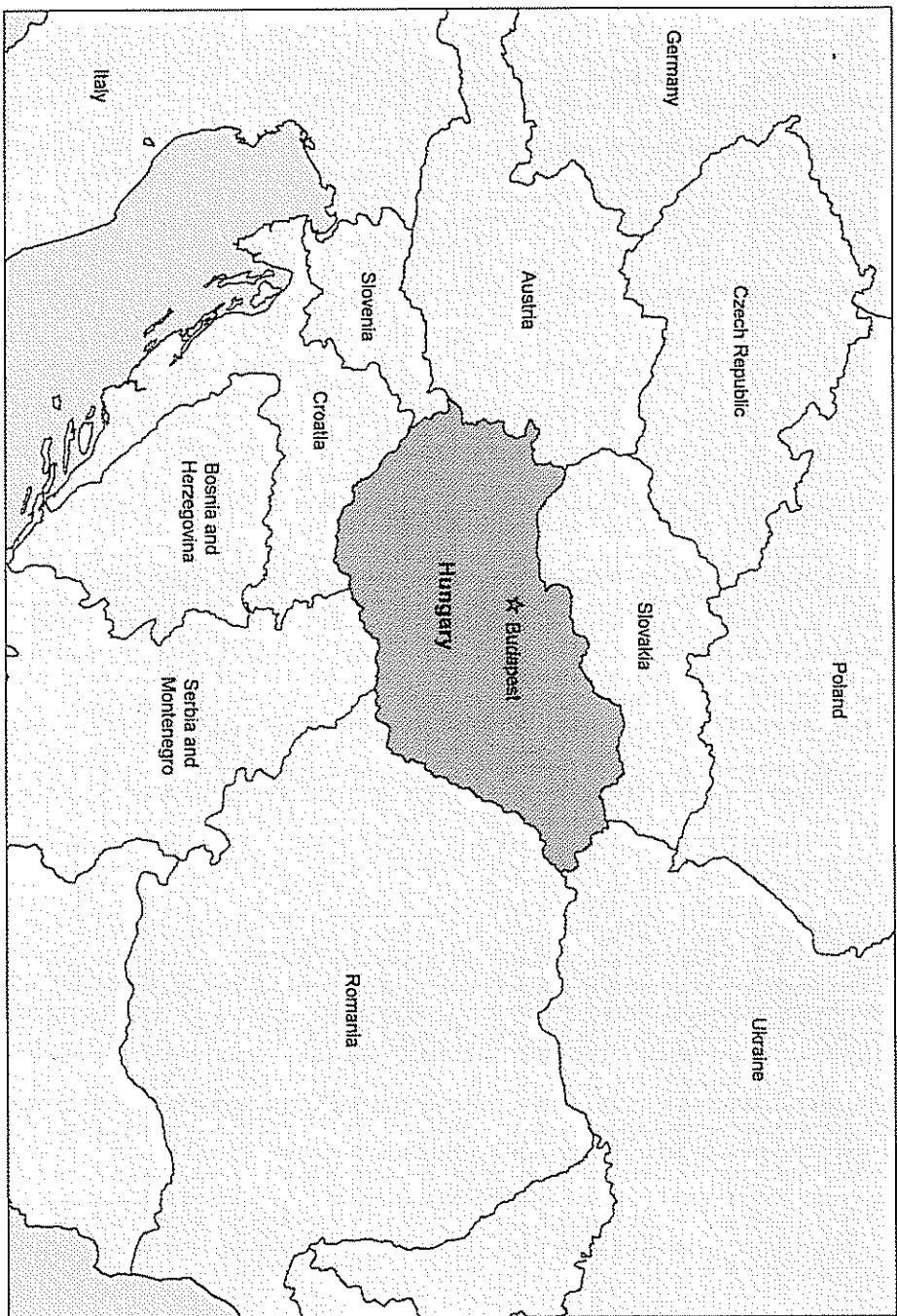
Organizational Structure and Strategies

The Hungarian National Police is Hungary's only police force. It has 32,000 members, and is directed by a civilian commander in chief and a sworn deputy commander. Local chiefs report to provincial commanders, who report to headquarters in Budapest. Most policing strategies and responses to crime are centrally planned and uniformly implemented throughout the country. Although the 1989 Constitution formally separates the police and the military, the military may support police operations in the event of an internal emergency.

Prior to the 1994 Police Act, there was considerable debate over how centralized the HNP command structure should be. Those who proposed decentralization argued that national policies do not conform adequately with local conditions and problems. Those who favored a centralized structure reasoned that local police forces would depend on revenues from local communities, which would vary widely among villages and result in unequal provision of policing services.[6] The Police Act preserved the more centralized structure in the interest of maintaining stability through a period of other dramatic reforms. Policymakers planned to revisit the debate, but it seems to have fallen off the

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[6] Interview with György Eiselt, head of department, Ministry of the Interior, January 28, 1998.

Map H: Country Overview: Hungary (Focus on Budapest)

Germany

Italy

Czech Republic

Slovenia

Austria

Croatia

Bosnia and
Herzegovina

Hungary

☆ Budapest

Slovakia

Poland

Serbia and
Montenegro

Romania

Ukraine

agenda.[7] Scholars maintain that the structure does not work and cite a recent mandate from the commander in chief that local units conduct market raids on Tuesdays, even though Tuesday is not a market day in many villages.[8]

Many of the individuals who held senior HNP commands during the communist era hold these posts today. Even though the 1994 Police Act established a system for local self-governments to nominate new local commanders, it did not infuse new talent or vision into HNP leadership. They mainly chose the former commanders since they were the only candidates with experience.[9]

Training

HNP recruits go through training at two levels: as officers or as noncommissioned personnel. Regular training lasts two years, but after only a few months, trainees are placed on reserve and can be called up to assume regular policing duties without finishing their training. Because of the current staff shortage—nearly 800 noncommissioned staff serve as officers—the HNP relies heavily on this reserve.[10] Chiefs are normally required to have at least one graduate degree, and many have two or three. An Interior Ministry official says that the noncommissioned staff now acting as senior officers are doing a good job and support the idea that a higher degree should not be required.[11]

Management

In October 1997, the HNP created a new strategic planning unit to help design long-term crime control strategies. The unit will do some of its own research on crime and police management and will contract some research out to other agencies. Other functions of the unit will be to harmonize strategies among various departments and to help the HNP stay within its annual budget. The unit will also be a conduit for international assistance to the HNP.[12]

Community Policing

Much of the foreign assistance supports the HNP's new community policing program. With help from the Know How Fund, an agency of the British Department for International Development that has been providing technical assistance to the HNP since 1991, the office of the HNP's deputy commissioner is designing the new program. The deputy commissioner says the changes, which will be implemented nationally, will

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[7] Szikinger, interview.

[8] Interview with research staff, Police Research Institute, January 28, 1998.

[9] Police Research Institute, interview.

[10] Interview with Ferenc Bánfi, deputy national commissioner, Hungarian National Police, January 29, 1998.

[11] Eiselt, interview.

[12] Bánfi, interview.

involve a shift in values and outlook at all ranks, not just at the neighborhood patrol level.

Many observers predict that the program will encounter obstacles. For one, there is little tradition of the community participating in or taking responsibility for public safety.[13] Others caution that the department's centralized, hierarchical structure is not amenable to the community policing approach. Without more decision-making authority, local commanders will be unable to respond to community-based problems. The very idea of community policing, they suggest, presupposes decentralization.[14]

István Mihály, chief of police in Érd, a town of about 60,000 just a few miles outside of Budapest, is contradicting skeptics by taking his own initiative to start a community policing program—one that will not require extra funds from central authorities. Mihály says he wants his force to have a more human face and more personal contact with residents, and he recently ordered two of his patrolmen to attend town meetings once a month. But in his view, community policing requires major operational changes that he is not yet willing to make. He thinks it would be a great a risk for him to remove officers from their traditional policing duties and assign them to community policing because they must also do their "real jobs."[15]

Police-Public Relations

Like the chief in Érd, many police officials are aware that the public does not see a "human face" when they look at police. Although the majority do not fear the police, typically, they do not trust them. The HNP is now taking steps to improve its image. In the early 1990s, the HNP created a public relations office to deal directly with public inquiries and the media. Through a special training course, the office has encouraged police chiefs to be more open to the public and to cooperate with the media and with local government. The office succeeded in getting television studios to donate airtime for public service announcements on crime prevention.[16]

Response to Women

The HNP has not yet made domestic violence and other crimes that disproportionately affect women a major focus of its policing strategy, even though the Police Research Institute finds that over 40 percent of violent crimes occur in homes.[17] There is a general attitude among police that domestic violence is "a family problem," and that police should not get involved.[18] HNP training centers do not provide courses in gender sensitivity.

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[13] Eiselt, Interview.

[14] Police Research Institute, interview.

[15] Interview with István Mihály, Chief of Police of Érd, January 29, 1998.

[16] Eiselt, interview.

[17] Police Research Institute, interview.

[18] Mihály, interview.

Ethnic Minorities (Roma)[19]

Discrimination against members of Hungary's Roma community, who comprise 10 percent of the country's population, is prevalent, but not only among police. The population at large is hostile towards the Roma and supports police mistreatment of them. Roma comprise 60 percent of the country's unemployed; and 40 percent of all Roma have criminal convictions.[20] Police view Roma communities as a criminal underworld. They target the Roma for questioning about suspects and crime incidents, and they sometimes search Roma homes at random. Researchers at the Police Research Institute describe the situation as a "social time bomb."[21] The HNP has made modest attempts to recruit more Roma into the police force, though the attempts have not been well received within the Roma community.[22]

Internal Control

Police stations are the only places to file reports against police who commit crimes. Police, however, do not conduct their own investigations, but pass on the cases to the county Prosecutor's Investigating Office office (see below). The director of the Hungarian Helsinki Committee, Ferenc Koszeg, says police who commit crimes know they can rely on their supervisors to defend them in these investigations.[23]

State Control

Executive

Hungary's Ministry of the Interior oversees law enforcement and public order throughout the country. The commander in chief of the NHP is nominated and supervised by the Minister, although the office is a presidential appointment.

Until Parliament issued special Service Regulations for Police in 1990, the Ministry was more actively involved in policing. The Regulations removed the Ministry's authority to direct investigations and instruct police in specific cases. Now, the Ministry serves a more normative role by drafting and proposing legislation on policing.

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[19] For a full discussion of police-Roma relations in Hungary, see István Szikinger, "The Roma in Hungary," working paper for the Project on Police in Democratic Societies, Vera Institute of Justice, March 1998.

[20] Police Research Institute, interview.

[21] Police Research Institute, interview.

[22] Deborah G. Wilson and Michael Berkow, "Policing in Emerging Democracies: Observations and Recommendations based on an Assessment of the Hungarian National Police," paper prepared for the Project on Ethnic Relations, December 1996, 2.

[23] Interview with Ferenc Koszeg, January 29, 1998.

Police Research Institute. In 1991, the Ministry of the Interior established the Police Research Institute to provide the Ministry with a sound research basis for public safety and policing policy. A staff of social scientists, statisticians, and legal scholars studies public opinion of the police, police-minority relations, and crime. Results of the Institute's work are passed on to, the commander in chief of police, county police commanders, government ministries, and universities.

But according to researchers at the Institute, their work has little impact on policy. Politics take precedence, and the Ministry officials are unwilling to support research projects that do not conform to their political agendas. One researcher, for example, proposed a survey on public perception and fear of crime but was turned down by a Ministry official who saw no need for the information. From 1991 to 1995, the Institute conducted a biannual public opinion survey of the police, but when the principle researcher on the project left the Institute, it was discontinued.[24]

One recent survey by the Institute found that the public does not hold the police exclusively responsible for crime; they believe local governments, prosecutors, and courts also play a significant role.[25] To date, the Institute has not conducted research on police brutality or domestic violence.

Legislative

Parliament. Legal constraint on police powers is an important mechanism of control exercised by the Hungarian Parliament. In 1994, Parliament passed the Police Act, which regulates police work as well as internal rules and regulations concerning police behavior and performance. In the early 1990s, the HNP needed new techniques for battling the emergence of organized crime. The Police Act gave them expanded powers to wiretap and search and seize property. The Act met with controversy, however, because these powers threatened Hungarians' right to the protection of personal data, a sensitive issue after years of government surveillance and intrusion. A Parliamentary ombudsman receives complaints against the government and police for violation of Hungary's rights to personal data protection.[26]

Local Self-Governments. Local self-governments are small community councils with limited legislative authority. Since passage of the 1994 Police Act, the self-governments have had the authority to nominate local police chiefs. The chiefs are required to submit an annual report to the self-governments on the status of the local police. If the self-governments do not approve the report, the commander has 30 days to submit a new one. If it is still not approved, then the commander's supervisor, the county chief, must address the self-governments personally.

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[24] Police Research Institute, interview.

[25] Police Research Institute, interview.

[26] Interview with Gábor Attila Tóth, Hungarian Civil Liberties Union, January 28, 1998.

The local self-governments are highly involved in local safety issues. Many contribute funds to the local police with the expectation that they will have some influence over police operations. The HNP encourages local self-governments to contribute funds, but has learned that it is dangerous to rely on their supportre if support is withdrawn. In Budapest, for example, the local self-government paid for new police stations and patrol cars. Once they hit a budget crunch, funding dried up to pay for the maintenance of the stations and cars.[27]

Starting in June 1998, local governments will have the authority to create separate public order agencies. A senior official in the Interior Ministry says the agencies will not act as regular police, though they will carry arms. Their enforcement powers will be limited to laws concerning agriculture, fishing, and game, which are not a significant part of the overall crime problem.[28]

Judicial

Criminal case logs are the most startling sign that police misconduct and abuse is prevalent in Hungary. Of all criminal proceedings initiated in 1994, 19.3 percent of them were against police; in 1995, the figure was 25.3 percent.[29] This does not mean, however, that the cases actually go anywhere.

When charges are brought against police, they are investigated by public prosecutors. The Hungarian Helsinki Committee, a human rights monitoring organization, found that in 1994, the prosector's office dismissed 92 percent percent of criminal charges against police without a full investigation; the overall dismissal rate was 56 percent.[30] The Committee also found, in 1995, that of the charges filed against police and investigated by prosecutors, only 188 out of 952, or 20 percent resulted in indictments.[31]

Ferenc Koszeg, director of the Hungarian Helsinki Committee, claims that accused persons mistreated by police rarely bring charges because they expect them to fail. If they do bring charges, they typically do so three to four weeks after the alleged incident. By then, it is too late to obtain a medical report, which is needed for prosecution.[32]

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[27] Police Research Institute, interview.
[28] Eiselt, interview.
[29] Ferenc Koszeg, *Are Police Officers Punishable?*, Hungarian Helsinki Committee, publication forthcoming.
[30] Koszeg, *Are Police Officers Punishable?*
[31] Koszeg, *Are Police Officers Punishable?*
[32] Koszeg, *Are Police Officers Punishable?*

Social Control

Research Institutes

The project on police and human rights at the Center for Legislative and Constitutional Police, COLPI, aims to improve policing through training, as well as public awareness of human rights—particularly during arrest—and police misconduct. Sociologists, political scientists, and legal scholars at COLPI have studied the implementation of the 1994 Police Act, police treatment of minorities, civilian oversight of policing, and many other areas. Two researchers there are now gathering baseline data for a future evaluation of two cities' community policing programs.

COLPI is collaborating with the Hungarian Helsinki Committee on a project called "Police in a Post-Totalitarian State." It is a broad, comparative survey of policing strategies, accountability mechanisms, training, and management in several Eastern European countries, including Hungary, Poland, the Czech Republic, Slovakia, Romania, and Bulgaria. Once the surveys are complete, COLPI and its partners will disseminate the results and try to advance regional collaboration on other research projects.

Human Rights Organizations

In February 1996, the Hungarian Helsinki Committee initiated its police monitoring project in agreement with the deputy national commander of the HNP. The monitors—who are law students, lawyers, social workers, and doctors—observe arrests and interrogations and review charge sheets. They are currently working in nine counties. The monitors expose individual cases of police misconduct and follow the cases through to their final disposition.

Country Overview: Poland
Focus on Warsaw

A rise in crime since 1989 is not the only reason many citizens of Poland feel less secure than they did during communism.[1] Life has changed in many ways. Citizens must compete for jobs in a market economy; housing is not guaranteed; and the press is free to report on crime and to criticize police and state responses to it. But fear of crime in Poland is irrationally high, according to police officials.[2] After all, even with the recent increase, Poland's crime rate is still lower than in Western Europe.[3]

Police have responded to the increase and to the public's fears by expanding their ranks and by becoming more aggressive with criminals. The director of the Polish Justice Ministry's Institute of Justice, Andrzej Siemaszko, relates that 93 percent of the population supports the use of brutality to fight crime.[4] They support it, at least, until police go too far.

In January 1998, police went too far. At a soccer match in the northern town of Slupsk, police beat to death a 13-year old soccer fan who—like many other fans—was agitating the crowd and allegedly provoking violence. For the next three days, an estimated 300 people rioted against the police and broke all the windows of the accused officer's home.[5] A senior public prosecutor calls the incident an "aberration."[6] According to researchers at the Institute of Justice, the officer was charged with abuse only a few years before this incident and was never disciplined.[7]

Between the lines here, there are some positive signs, says Poland's Commissioner for Civil Rights. The public is becoming less afraid of exposing government wrongdoing than they were before 1989, although as an ombudsman, he says that he still faces an uphill battle.[8] On the other hand, senior police officers say the public is not fearful enough. Fear, say senior officers, is an essential tool for effective law enforcement and crime deterrence. If the general public does not fear police, they claim, then neither will criminals.[9]

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[1] The Polish Ministry of Justice, Institute of Justice reports that the rate of offenses recorded per 100,000 people was 1255.3 in 1988, 2317.3 in 1990, 2296.6 in 1992, and 2351.0 in 1994. Source: Jerzy Jasinski and Andrzej Siemaszko, *Crime Control in Poland*, Police Ministry of Justice, Institute of Justice, Warsaw, 1995.

[2] Interview with senior police officials, Police Headquarters, January 27, 1998.

[3] Interview with Józef Wójcikiewicz, forensic scientist, Institute of Forensic Research, January 26, 1998.

[4] Interviews with Andrzej Siemaszko, director, Institute of Justice, Ministry of Justice and Eleonora Zielinska, lawyer, January 27,1998.

[5] "Violence for Violence," *The Warsaw Voice*, January 18, 1998, no. 3, 482.

[6] Interview with Kazimierz Krasny, Office of the National Prosecutor, January 27, 1998.

[7] Siemaszko and Zielinska, interviews.

[8] Interview with Adam Zielinski, Commissioner for Civil Rights Protection, January 26, 1998.

[9] Senior police officials, interview.

Organizational Structure and Strategies

Poland has one national police force, headquartered in Warsaw, with 49 provincial commands and 364 districts.[10] Organizational objectives and policies are established at headquarters, and local districts have relatively little discretion to adapt new strategies and procedures.

Compensation for police is low compared to other professions, though not as low as in some Eastern European countries: The average police salary is equivalent to US $400 per month.[11] Some would argue that the higher salaries would make police less susceptible to bribery, but policing scholars say that corruption are fairly common and is tolerated among other members of the police force.[12]

The principle focus of police strategies now is to control economic, organized, and drug-related crimes, which have increased at a faster pace than other crimes since 1989. One response of the police to these problems has been to increase their personnel from 97,014 in 1993 to 102,755 in 1997, with an aim toward soon reaching 126,000.[13] Another has been to expand the use of modern surveillance technology, like wiretapping.[14] Researchers at the Institute of Justice note that the priority crimes for police are not crimes that affect most citizens on a regular basis.[15]

Training

Police recruits enter training at four distinct levels: basic, non-commissioned officers, "aspirants," and officers. There is a separate training institute for each level where recruits study for nearly eight months, or five months, if they have a college degree.[16] Most recruits enter with a very low education level, however, and are difficult to train well.[17] Poor training, suggests Adrzej Rzeplinski of the Helsinki Foundation for Human Rights, is often the cause of human rights abuses by police. When police officials don't know how to resolve conflicts and make arrests properly, they resort more readily to violence.[18] To help reduce violence, the Foundation now provides human rights training through the police training institutes.

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[10] Teodor Bulenda, Andrzej Zremplevsi, and Andrzej Rzeplinski, *Between Militia and Reform: The Police in Poland 1989-1997*, unpublished paper, project on Police in Transition, Helsinki Foundation for Human Rights, 1998, 10.

[11] Bulenda et al., 9.

[12] Bulenda et al., 12; interview with Ewa Gruza, professor, Institute of Penal Law, University of Warsaw, January 27, 1998.

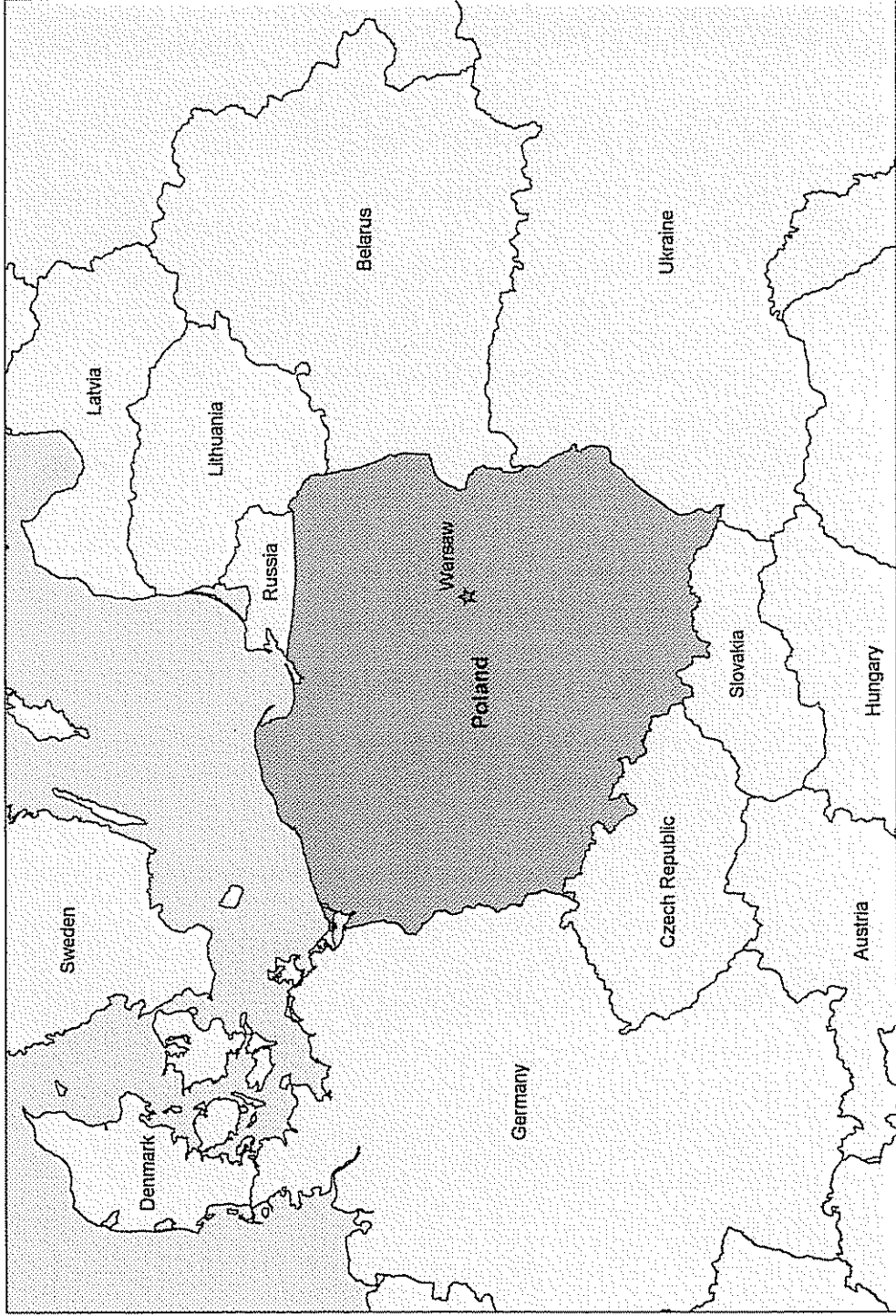[13] Bulenda et al., 3.

[14] Krasny, interview.

[15] Siemaszko and Zielinska, interviews.

[16] Bulenda et al., 14.

[17] Gruza, interview.

[18] Interviews with Marek Nowicki and Andrzej Rzeplinski, Helsinki Foundation for Human Rights, January 26, 1998.

Map I: Country Overview: Poland (Focus on Warsaw)

Police-Public Relations

Andrzej Siemaszko, director of the Justice Department's Institute of Justice, says an important indication that the public is mistrustful of the police is—based on the Institute's victimization surveys—the low level of reported crime: 30 percent.[19] Senior officials at police headquarters say they are trying to improve the police image, and the Commander in Chief recently set up a new public relations office.[20]

The new Safe City project coordinated from national headquarters is the force's main strategy for bringing citizens closer to the police. Local police units are encouraged to mobilize communities to participate in crime prevention. Police promote crime prevention programs in schools and work with business owners to improve their security. As of February 1997, police had organized 400 community groups to participate in the program.[21]

Community Policing

In 1990, Parliament passed legislation mandating the creation of a community policing program to address "community problems" in rural areas. The program was not successful and closed down in 1995. Józef Wójcikiewicz, a scientist at the Institute of Forensic Research in Cracow, says that citizens did not respond well to community policing because it did nont seem like real police work to them. Police who participated in the program disliked it because it was not a prestigious assignment did not clearly fit into the promotion structure.[22]

Response to Women

Senior police officials say that one-third of all calls for police service—approximately 900,000 calls per year—relate to violence in the home.[23] Yet, the Polish police have not developed special approaches for handling these cases. The general attitude among police is that domestic violence is a private family matter. Urszula Nowakowska, director of the Women's Rights Center, says that because women victims often drop charges against the batterer later on, police take this as a sign that their involvement is not needed. If the batterer has been drinking, police may place him in custody for a few hours until he's sober before sending him back home. Police typically do not seek long-term solutions, such as counseling for the batterer or the victim.[24] The Women's Rights Center is now drafting procedures for police to respond to domestic violence incidents (see below).

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[19] Siemaszko and Zielinska, interviews.

[20] Senior police officials, interview.

[21] Bulenda et al., 5.

[22] Wójcikiewicz, interview.

[23] Senior police officials, interview.

[24] Interview with Urszula Nowakowska, executive director, Women's Rights Center, January 26, 1998.

Internal Control

In 1994, the police established the Inspectorate of the Chief Commander of Police, whose purpose is to "analyze irregularities in police work."[25] This includes supervising the use of firearms and receiving and investigating complaints from citizens against the police for discourteous or abusive behavior. Complaints received by local commanders are forwarded to regional headquarters, then to the Inspectorate at national headquarters. In 1994, the Inspectorate received 15,298 complaints against police and found that 11 percent of them were "justified."[26] The Director of the Inspectorate reports that says that 20 percent of complaints usually relate to discourtesy or the amount of a fine issued by an officer; 18 percent relate to delays in the investigation of regular cases; and 4 percent charge police with using excessive force.[27] Officials did not discuss causes for the other complaints.

Views are mixed about the effectiveness of the internal disciplinary system. Andrzej Rzeplinski of the Helsinki Committee for Human Rights says that between 250 and 500 officers are fired each year for disciplinary violations. However, the police do not reveal the nature of those violations nor the exact number of dismissals to the public.[28] The Commissioner for Civil Rights Protection suggests that the secretiveness of the disciplinary process undermines its effectiveness. When accused, the first instinct of police is to close ranks and deny charges rather than risk exposure and embarrassment.[29]

The director of the Inspectorate says the current Commander in Chief intends to strengthen the internal system by setting up a special internal affairs unit to investigate complaints against police. He also plans to draft a new rulebook to close "loopholes" that exist in the current one.[30] Another strategy might be to increase public participation in the process, or at least give more responsibility to local governments for police oversight. Senior officers agree that this would enhance the system's credibility. Recently, the Inspectorate began requiring local commanders to inform local governments whenever an officer receives three or more complaints.[31]

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[25] Bulenda et al., 16.

[26] Bulenda et al., 16.

[27] Senior police officials, interview.

[28] Siemaszko and Zielinska, interviews.

[29] Zielinski, interview.

[30] Senior police officials, interview.

[31] Senior police officials, interview.

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State Control

Executive

Ministry of Interior. The Ministry of the Interior is responsible for public safety and order, but its authority to exercise control over the police is limited. The Ministry can submit legislation to expand or constrict police powers, and the Ministry nominates the Commander in Chief (subject to appointment by the Prime Minister) and appoints commanders for the 49 provinces. Previously, the Ministry assumed more control over the force, including funding allocation. The police now recieve and allocate their own budget. The Vice Minister of Interior and Administration, Krzysztof Budnik, says that, although the Ministry has fewer responsibilities, the public still holds him and his colleagues responsible for police misconduct and abuse.[32]

Local Governments. Local governments do not have formal control over local police, but they cooperate informally to resolve public safety problems. For politicians, public safety is becoming an increasingly important platform. Local governments contribute money to local police budgets and provide facilities, equipment, cars, and gas. Recently, local governments have begun contributing to the national Safe City program. Vice Minister Budnik worries that these contributions will give local governments too much influence over police.[33]

Institute of Justice, Ministry of Justice. Researchers at the Institute of Justice research and analyze crime trends and maintain crime statistics. The Institute also funds some external projects. Since 1992, the Institute has conducted a comprehensive victimization survey. Based on the results, the Institute's director concludes that the crime rate in Poland has indeed risen, but only gradually, while public confidence in police has sharply declined.[34] The Institute seeks to ally itself with several western European counterparts.

Legislative

The internal affairs, administration of justice, and human rights committees of the Polish Parliament oversee questions of public safety and police misconduct. The committees occasionally receive complaints about police activity directly from the public.[35] Otherwise, Parliament can enact legislation affecting the scope of police powers and size of the police force. In 1993, Parliament authorized a large expansion of staff as part of an effort to control growing crime.[36]

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[32] Interview with Krzysztof Budnik, Vice Minister of Interior and Administration, January 26, 1998.
[33] Budnik, interview.
[34] Siemaszko and Zielinska, interviews.
[35] Bulenda et al., 16.
[36] Bulenda et al., 8.

Commissioner for Civil Rights Protection (Ombudsman). The office of the Commissioner for Civil Rights Protection, also known as the ombudsman, has been receiving complaints against government officials since January 27, 1988. The ombudsman is appointed by Parliament, but then operates as an autonomous agency. In 10 years, the office has grown to employ 190 staff, including a special unit for investigating police abuse.

A staff comprised mainly of former police officers investigates complaints and refers them to a criminal prosecutor. The ombudsman's office cannot initiate criminal or civil procedures but does follow up on referred cases and review the prosecution process. The office also conducts fact-finding missions and inspects police stations at night.

In 1997, the office received 312 complaints against police. Thirty of the complaints were from "victims of police action," meaning victims of physical abuse, and prosecutors dismissed all 30 of them.[37] Some complaints submitted to the ombudsman relate to negligent or poor police protection, and most of these complaints come from members of Poland's Roma population.[38]

The ombudsman says that he generally gets minimal cooperation from police. The officers are secretive, lie to protect one another, and prepare responses in advance of their interviews with investigators. In addition to case-by-case investigations, the ombudsman examines systemic problems and makes broad recommendations. Though police agree with the recommendations in principle, they usually claim that the changes would be impractical.[39]

The ombudsman has a good reputation among political officials, scholars, and human rights advocates, but not particularly for his work on police. He says that he should increase his role in police training and in outreach to citizens on police issues.

Judicial

Public prosecutors are responsible for all criminal investigations, although they usually assign all or part of the investigations to the police.[40] The law requires prosecutors to investigate all deaths in police custody. There is no independent unit for investigating and prosecuting police officials charged with crimes, but one policing expert says prosecutors generally are not easily influenced by police.[41] Other observers are more critical: they say, prosecutors dislike cases against police because they cannot depend on police to carry out the investigations and must do the work themselves, which implies

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[37] Correspondence from Kazimierz Zdrojewski, Commission for Civil Rights Protection, January 26, 1998.
[38] Zielinski, interview.
[39] Zielinski, interview.
[40] Bulenda et al., 5.
[41] Wójcikiewicz, interview.

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that these cases are not aggressively prosecuted.[42] The prosecutors office does not attract strong candidates; many come directly out of law school and have little experience.[43]

Indeed, few criminal prosecutions of police succeed: in 1993, there were none; in 1994, there were 15; and in 1995, there were 10.[44] One obstacle for prosecutors is that they must demonstrate that the victim sustained injuries that lasted seven days or more.[45] For corruption cases, it is only recently that police have been allowed to conduct "controlled purchases," or sting operations, to catch police selling contraband.[46]

The 1997 Constitution provides that victims of police abuse may sue the abusive officer or the police department for damages.[47] The suits may only be initiated, however, if the officer is convicted in a criminal court. To date, few such cases have been successful.

Social Control

Several human rights organizations and interest groups expose misconduct and abuse by police. However, there are few community based groups or neighborhood associations focused on public safety.[48] The reason, suggests one human rights activist, is that people often accept crime as the "price of freedom," rather than focusing on ways to correct it. Overall, he finds, there is little public debate about problems of abuse and the proper role of police.[49] Recently, a Canadian researcher based at Warsaw University has begun to develop a community policing experiment in partnership with a local precinct commander.

Human Rights
The Helsinki Foundation for Human Rights has broad responsibility for monitoring the Polish Government's compliance with the Helsinki Accords. One of the foundation's main areas of focus is on monitoring and improving policing. A special team of observers keeps track of complaints by citizens against police.[50] About five years ago, some of the foundation's staff began working with police to improve their human rights record and to help them become more effective without using brutality. The foundation has developed a training curriculum and course manual for police training in human

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[42] Siemaszko and Zielinska, interviews.
[43] Gruza, interview.
[44] Bulenda et al., 18.
[45] Senior police officials, interview.
[46] Krasny, interview.
[47] Bulenda et al., 17.
[48] Bulenda et al., 7.
[49] Nowicki and Rzeplinski, interviews.
[50] Bulenda et al., 17.

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rights. Increasingly, the foundation is becoming interested in holding police responsible for protecting citizens from crime.[51]

Women's Organizations

The Women's Rights Center gives psychological and legal assistance to victims of domestic violence, rape, and human rights violations. Although local police units have little discretion to start new projects on their own, the Center's director, Urszula Nowakowska, has begun working with local police to improve their responsiveness to domestic violence. In 1997, Nowakowska conducted a training program with patrol officers and investigators from a nearby station. The response was so positive that she has been asked to do the training in 49 regions. In preparation, the Center is holding focus groups with police to see what kind of training would be most useful to them. The Center has also been asked to develop a domestic violence curriculum for police training centers.

Recently, one local police commander invited the Women's Rights Center to participate in a domestic violence working group with judges, prosecutors, police, and NGO representatives to develop a "Safe Streets, Safe Homes" correlate to the national police force's "Safe City" project.[52]

Nowakowska says that collaboration with her counterparts in other countries has helped the Women's Rights Center draw attention to the problem of domestic violence. In 1993, the Center participated in a tribunal on violence against women held in Warsaw at which women victims of violent crime testified before an audience of 400 judges, prosecutors, police, and members of the public. Nowakowska is now hoping to collect and compare guidelines from police forces around the world on how police respond to domestic violence in order to draft a set of instructions for the Polish police.[53]

Media

A wide range of views, including views toward police, is represented in the media today in Poland. After the death of the 13-year old boy in Slupsk, for example, daily newspaper stories harshly criticized both police and prosecutors for their response to the event. The Commissioner for Civil Rights Protection finds the media instrumental in his campaign to address government abuse and says his office appears in newspapers almost every day. Because of these reports, he says, more citizens are encouraged to register complaints against abusive or corrupt officials.[54]

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[51] Nowicki and Rzeplinski, interviews.
[52] Nowakowska, interview.
[53] Nowakowska, interview.
[54] Zielinski, interview.

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Country Overview: Russia
Focus on Moscow and St. Petersburg

Democracy has played a cruel joke on Russians who thought crime would disappear once the communist regime ended. As Andrei Kortunov, president of the Moscow Public Science Foundation, explains, in Soviet times the state was often the perpetrator of violence; "crime" included political opposition and violation of countless political regulations; and police reports showed that ordinary, nonpolitical crime was scarce. Now, many Russians are surprised and disheartened to discover that property ownership, new businesses, consumerism, and the relaxation of political control spawn new kinds of crime, from burglary to racketeering and murder.

There is little confidence that the Russian police force, the militsiya, is capable of controlling crime. Anecdotes ridiculing the police are commonplace. In 1995, according to one scholar, police were able to recover only one out of ten stolen cars.[1] A senior judge from St. Petersburg says that the rate of criminal activity among police officials is even higher than among ordinary citizens.[2] A study by Anatoly Pristavkin, chairman of the Presidential Pardons Commission, found that 90 percent of Russia's law enforcement bodies are corrupt.[3] The reasons given for such widespread corruption range from low salaries to the culture of corruption that pervades government in Russia.

Like police forces in other transitional states, the Russian militsiya is defining its new mission. Even in Soviet times, the militsiya would respond to reports of crime, investigate cases, and develop anticrime strategies; but being accountable for response time, clearance rates, and crime rates is a new experience. To demonstrate their effectiveness, police are using torture to extract confessions, manipulating statistics to show clearances, and failing to record many crimes to depress the numbers.

A heightened sense of insecurity encourages Russians to approve of tough policing measures. A delegate to Russia's lower house of Parliament, the Duma, says that in today's climate, Russians show no mercy or compassion for criminals.[4]

Even those optimistic about long-term reform warn that neither political leadership nor the public supports real reform. They argue that the Russian police will not be brought to account for corruption, brutality, or incompetence without strong political will, now lacking at the highest echelons of government.[5] Even then, the process will be

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[1] Interview with Andrei Kortunov, president, Moscow Public Science Foundation, January 19, 1998.
[2] Interview with Vladimir Poloudniakov, chairman, City Court of St. Petersburg, January 23, 1998.
[3] Mumin Shakirov, "Criminalized Society Favors Cruel Punishment," *The St. Petersburg Times*, January 20, 1998, 10.
[4] Shakirov, 10.
[5] Interview with Alexander Shishlov, Member of Parliament, January 24, 1998.

slow, because the public often is complicit in corrupt activity and condones brutal treatment of offenders. For lasting reforms, they argue, public attitudes must change.[6]

Organizational Structure and Strategies

The militsiya is the main police agency responsible for patrol and investigation throughout Russia. In addition, the Federal Police Service investigates the most serious crimes; the Federal Counterintelligence Service (formerly the KGB) investigates organized crime; and separate traffic police agencies in every region enforce traffic laws.

The militsiya is a national organization, headquartered in Moscow, with regional and area commands. Provincial and local governments have only informal oversight over the militsiya, although there is debate about decentralization of the force. Some argue that decentralization would allow police to tailor strategies to local problems; others that local conditions and resources vary so widely throughout Russia that decentralization would lead to reduced service, professionalization, and training in poorer areas.

Training
All members of the Russian militsiya attend the training academy at Pushkin, having already completed two or three years of college. Programs last six to twelve months, depending on the specialty one pursues. In-service training, or "retraining," once common, now seems to be a luxury that few police officers are allowed. When asked what kind of retraining would make police more effective today, the deputy police chief of St. Petersburg mentioned two: sophisticated training in firearms and classes in gender sensitivity.[7] But few, if any, foreign donors have based training assistance on what the police identify as needs. The U.S. government is focusing its training on specific crimes that affect U.S. business, while others have supported nongovernmental organizations to provide human rights training.

Corruption and Misuse of Force
Moscow residents with cars are routinely stopped by the traffic police. The law gives police wide discretion in determining whether a driver's handbrakes are adequate or whether a car emits too much pollution. It is best, some Russians advise, to bribe the officer rather than suffer the bureaucratic ordeal that accompanies any traffic citation. "You get stopped, you pay; it is always like that," says one citizen. Politicians, police officials, and policy analysts typically propose salary increases to solve Russia's police

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[6] Boris Pustintsev, "Police Reform in Russia: Obstacles and Opportunities," working paper for the project on Police in Democratic Societies: Advancing Accountability and Public Safety, Vera Institute of Justice, March 1998.

[7] Interview with Sergei Zabotin, deputy chief of police, St. Petersburg, January 22, 1998.

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Map J: Country Overview: Russia (Focus on Moscow and St. Petersburg)
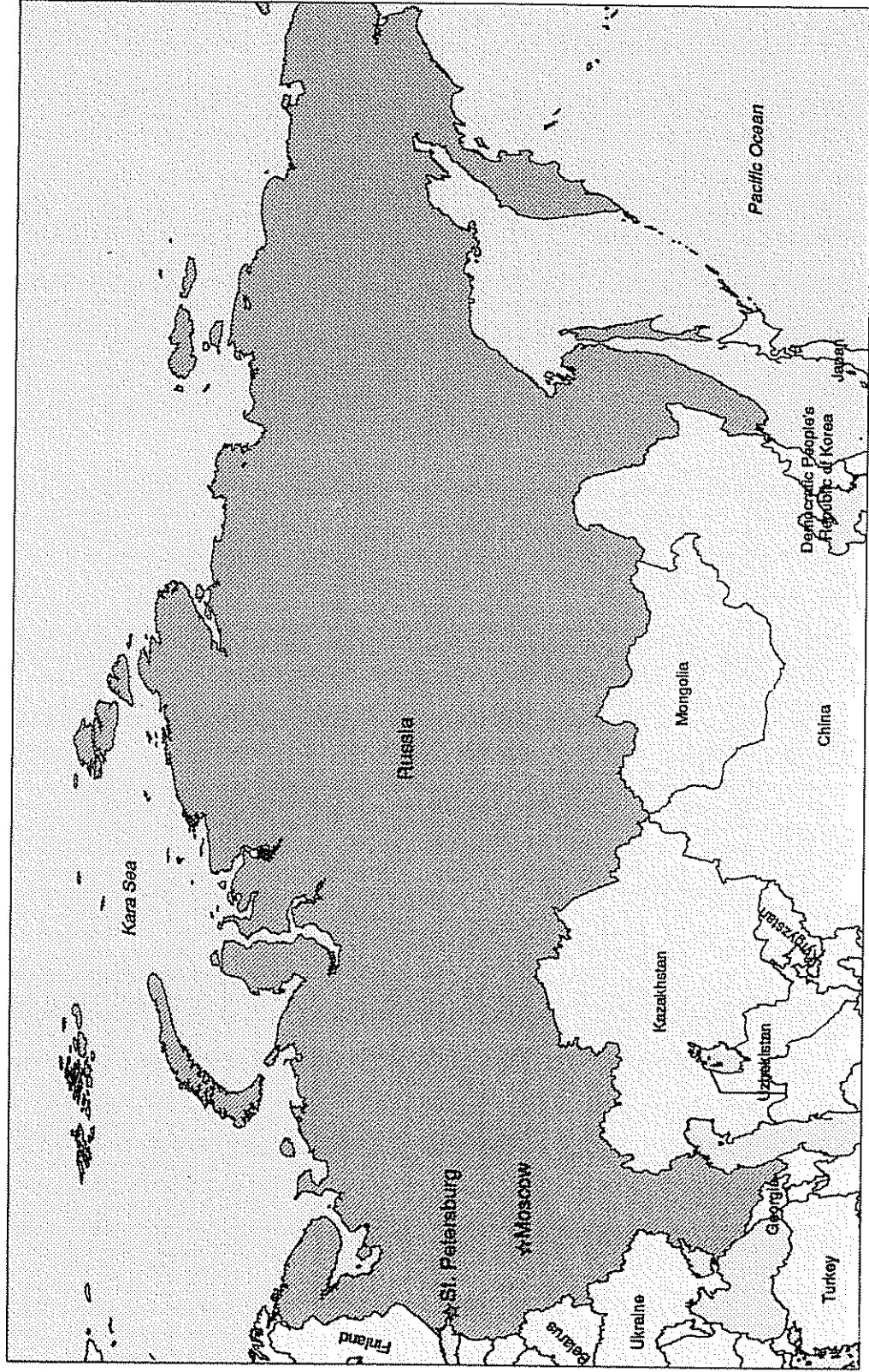
corruption problem. Higher salaries, they suggest, would raise the status of policing as a profession and instill a greater sense of pride and ethics. Academic observers of police reform, on the other hand, caution that salaries alone can never eliminate corruption and that other measures can help even with low-paid police.

Although corruption is the problem most citizens encounter with the police, other abuses of authority are not uncommon. A 1997 report by Amnesty International claims that unlawful detention, the use of force against suspects and witnesses, and falsification of evidence have nearly doubled since the years prior to the transition.[8] The report found that police use torture to obtain confessions, usually at the moment of detention, immediately following arrest, or during the initial interrogation.

The militsiya is authorized to detain suspects temporarily for three days, although the period may be extended up to 30 days in special cases.[9] This police force may also decide whether any suspect charged with a crime that carries a sentence of two or more years should be detained while awaiting trial. The militsiya oversees their detention, which occasionally lasts for years. On any given day, it holds an average of 50,000 suspects in pretrial detention, and about 4 million each year. Throughout the pretrial phase, its investigators continue to interrogate detained suspects.

Police-Public Relations

Mistrust between police and the public runs deep. The image of police as corrupt is so prevalent that individual officers do not get the benefit of the doubt. Police are likewise mistrustful of the public. They find that civilians do not want to cooperate in police investigations and do not pay taxes.

Is there interest among Russian police executives or political leaders in community policing as a strategy for improving police-public relations? The director of a public policy NGO in Moscow says no: It would look too much like the semivoluntary self-defense units of the Soviet era. These units assisted police with local order maintenance, which at that time included checking residents' permits, monitoring neighborhood activity, and keeping a list of residents who seemed suspicious. Until police are fully reoriented toward providing citizen safety as a public service, therefore, changes in deployment patterns—particularly foot patrols—are unlikely to meet with success.

Crime and Crime Reporting

It is nearly impossible to compare crime figures between pre- and post-1991 Russia. Not only are some offenses no longer crimes, but there is little consistency between how crime was reported and analyzed then and now. Throughout Russia, police statistics show a sharp increase in the crime rate, but it is difficult to know how much crime previously went unreported or was covered up by police.

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[8] Amnesty International, *Torture in Russia: "This man-made Hell,"* London: Amnesty International, 1997.

[9] Interview with Valerii Abramkin, director, Moscow Center for Prison Reform, January 19, 1998.

Proof that Soviet-era police underreported crime is that they were able to solve 95 percent of all crimes, says Yakov Galinskiy, a criminologist in St. Petersburg.[10] Policies set by officers at headquarters encouraged local commanders to conceal the true crime rate. In the 1970s, central police authorities set target crime rates for areas and held local commanders accountable for meeting them. But the targets were not always realistic for local conditions, and when the commanders failed, they adjusted the numbers. For that reason, the militsiya resists evaluating crime by area on a statistical basis.

The militsiya may have begun to report crime more accurately in many areas. To their dismay, better reporting means that crime seems to be escalating. In St. Petersburg, for example, police statistics show that the crime rate doubled between 1996 and 1997. Although at least part of this increase may be due to a legitimate rise in crime, it was also the first year that local police stations were required to keep their statistics in ink rather than pencil.[11] There are other incentives for police to track crime more accurately today. Police must compete with the military for resources, and a legitimate threat of crime justifies a greater allocation of resources to the police.

Andrei Kortunov, the director of a Moscow-based public policy institute, says that typically before police even fill out a report, they first assess whether or not an investigation of the case is possible. If so, they start a formal investigation; if not, they discourage victims and witnesses from filing the report by telling them that the court process is long and troublesome or that the case is hopeless.[12] Citizens are more willing to brave the hassle of filing a report since property insurance became more available, and insurance companies require police reports for processing claims.

According to Kortunov, the character of crime in Russia has changed notably since 1991. The growth in property crime has outpaced the growth of the new economy. Even in poor rural areas, theft is more common. In the cities, crime is increasingly violent and organized. A higher portion of the population carries weapons, and even small business owners hire armed bodyguards and private security guards.

Internal Control

The extent of control over police for violating regulations or criminal laws depends largely on the vigilance of commanding officers. It is generally the case that internal disciplinary policies are closed and secretive. One exception is "Operation Clean Hands," an anticorruption campaign underway nationally, under regional commands. In St. Petersburg, Chief Anatoly Ponidelko took office in 1996 "pledging to provide accurate crime statistics and shed corrupt officers under his command," reports Anna

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[10] Interview with Yakov Galinskiy, director, Institute of Sociology, Russian Academy of Science, January 23, 1998.

[11] Anna Badkhen, "Cop Stats: Crime Rate Doubled," *The St. Petersburg Times*, January 20, 1998, 5.

[12] Kortunov, interview.

Badkhen in the *St. Petersburg Times*. Since then, Ponidelko has punished 8,288 out of 70,000 personnel for professional misconduct and fired 958, including 208 senior officers, she says. Of these, 170 are now facing criminal charges.[13]

Critics of Operation Clean Hands say that, although Ponidelko may be getting rid of bad seeds, he has followed no official procedure. It is quite possible that some of the dismissals were unjust. Indeed, a handful of officers have sued to be reinstated and won. Arkady Kramarev, a deputy in St. Petersburg's legislative assembly and former police chief of St. Petersburg, says that Operation Clean Hands reinforces the image of Russian police as corrupt, damages the police's reputation, and exacerbates the public's mistrust.[14]

Ponidelko is trying to address police corruption and incompetence on other fronts as well. To inspire a better work ethic and raise morale on the force, he improved work conditions by painting station houses and installing carpets. Ponidelko's stated goal is to build a culture of police service. Following a long tradition in politics, he now meets with members of the public on the last Saturday of every month. The hundreds of citizens who come—and are willing to wait for up to 48 hours—can voice their concerns to him directly. District commanders in St. Petersburg have begun holding their own forums with the same purpose.[15]

State Control

Executive

Federal. The national Minister of the Interior is responsible for controlling standard crime and thus for overseeing the militsiya. The Interior Ministry has a branch office in each of the regions; local commanders report to both the regional and national Ministries. Each year, a senior officer from headquarters conducts an inspection of local departments and recommends improvements.

The Ministry recently established an Agency for Internal Security to reduce corruption among police and other Ministry officials. The agency has a 24-hour hotline for reports of wrongdoing, and can initiate its own investigations into a Ministry employee's conduct. The impulse for creating the agency grew out of a new culture of human rights and respect for the rule of law in Russia, says Alexandr Solomonovich Michlin, chief scientist at the Ministry.[16]

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[13] Badkhen, 5.

[14] Interview with Arkady Kramarev, deputy, St. Petersburg City Council, former chief of police of St. Petersburg, January 23, 1998.

[15] Zabotin, interview.

[16] Interview with Alexandr Solomonovich Michlin, chief scientist, Russian Ministry of Internal Affairs, All Russia Research Institute, January 19, 1998.

Although the Agency for Internal Security has yet to be formally evaluated, the initial impressions are favorable. An outspoken critic of the government's human rights record, Valerii Abramkin, finds the agency to be doing a good job in exposing violations and publishing the results of several investigations. Abramkin credits the agency for a recent rise in the number of complaints filed against police and other Interior Ministry subjects.[17]

Regions and Cities. As a federal agency, the militsiya is officially accountable only to the national command structure and Interior Ministry. However, regional governors assert de facto control over local police by contributing funds. The strength of the governors' control, therefore, depends on the pool of resources at their disposal. In Moscow, for example, with its large tax base, Governor Luzhkov contributes a great deal to the police and commands police attention. Regions more dependent on federal funding, by contrast, have less control.

City councils take an active role in public safety policy by holding public hearings and recommending police reforms, but they have no power to enforce changes. In St. Petersburg, the head of the city council's commission on law and order, the city's former police chief, is an outspoken critic of the current chief. Members of city councils occasionally receive complaints from citizens against the militsiya, but there is no formal process to investigate these. They simply forward the complaints to prosecutors or, now, the Agency for Internal Security.

Legislative

Parliament has authorized the creation of an ombudservice to investigate alleged violations of human rights committed by police and other state agents. The ombudsman would be nominated by the State Duma and would have the authority to make unannounced inspections of police stations and detention centers at all hours. To the disappointment of human rights supporters, the Duma has not yet filled the post.

Currently pending in Parliament is a new criminal procedure code that would limit police powers in several ways. All arrest warrants would have to be signed by a judge, for example, and police would have less discretion to hold accused persons in pretrial detention.

Another piece of legislation contradicts this trend. On July 10, 1996, President Yeltsin signed a decree "On Urgent Measures on Strengthening Law and Order and Intensifying the Fight Against Crime in Moscow and Moscow Region." It gives additional legal powers to police in Moscow and the surrounding area (oblast) to detain suspects for up to 30 days for the sole purpose of verifying personal identification. So

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[17] Abramkin, interview.

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far, police have used this decree to target people from the Chechen and Caucasus regions and expel them from Moscow.

Judicial

Police charged with corruption or other abuses are tried in Russia's ordinary criminal courts. *The St. Petersburg Times* reports that in 1996, 50,000 criminal cases were brought against police.[18] Some 10,000 police were dismissed on corruption charges, but no one was sanctioned for excessive use of force, according to legal scholar Sergei Sirotkin.[19] Alexandr Solomonovich Michlin claims that it is more difficult to prosecute police for corruption because all parties to the transaction are at fault, whereas injuries provide clear evidence of physical force.[20] The numbers, however, appear to contradict that theory.

Few judges exercise their limited authority to control police abuse. Sergei Pashin, a city court judge in Moscow, recently became the first judge in Russia to exclude a confession on the grounds that it was coerced.[21] When a defendant alleges that he or she was coerced to confess or beaten in custody, most judges simply refer the allegations to a prosecutor as a separate case.

There are numerous recommendations for strengthening the oversight capacity of the courts over police. The chief judge for the City of St. Petersburg prescribes the creation of specialized courts for hearing cases involving abuse by government officials.[22] Sirotkin proposes that public education about the court system would increase the number of prosecutions brought against police.[23] And others say that, without more resources, the power of the judiciary will collapse; court administrators currently lack money for stamps, paper, and courtroom security.

The Office of the Procurator General, a federal prosecutorial service that brings all criminal prosecutions throughout the Russian Federation, is independent of the judiciary or any other branch of government. The Procurator General is nominated by the president and must be confirmed by the upper house of Parliament. The Procurator General has offices in every region and municipality of Russia.

The role of the procuracy in directing police anticrime strategy and controlling illegal activity by police is a potentially important one. Prosecutors are trained in investigation and have some of their own investigators. Citizens may submit written complaints against police directly to the procuracy. Complaints related to internal violations are forwarded to the respective police commander; complaints of criminal activity are investigated by the procuracy. Even before any criminal charge is filed, a

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[18] Shakirov, 10.

[19] Interview with Sergei Sirotkin, program director, Moscow Legal Resource Center, January 19, 1998.

[20] Michlin, interview.

[21] Alessandra Stanley, "Russians Lament the Crime of Punishment," *The New York Times*, January 8, 1998, 1.

[22] Poloudniakov, interview.

[23] Sirotkin, interview.

procurator can conduct an independent investigation of a police official.[24] A special department within the procuracy investigates most charges involving police. Only the Federal Counterintelligence Service, however, may conduct secret investigations of police, carry out sting operations, or use hidden cameras.

Just how effective the procuracy is in its investigations and prosecutions of police misconduct is difficult to determine. According to one human rights monitor, very few police have been convicted, and the prosecutions take so long that the public forgets about the cases by the time a verdict is reached. Because prosecutions are so lengthy, says a former police chief of St. Petersburg, they are not an effective oversight mechanism or deterrent of police misconduct.[25]

There is some prospect that procurators will become more vigilant and more effective in prosecuting police who commit crimes. The director of the St. Petersburg Institute of Law, which has trained all Russian procurators since 1961, says one of the Institute's current priorities is to train prosecutors in international norms, such as human rights covenants, which are gradually being incorporated into Russian law.

Since the adoption of the 1977 Constitution under Leonid Brezhnev, Russian citizens who suffer abuse by police officials have had the option of filing a civil suit for damages. However, these suits are almost never brought.

Social Control

Some NGOs in Moscow and St. Petersburg are working to improve police responsiveness to citizens, although few engage directly with anyone inside government. Andrei Kortunov, director of the Moscow Public Science Foundation, says that it is tempting for NGOs to want to work more closely with government to advance their agendas, but that their credibility as critics of government depends on their independence.[26]

The Moscow Public Science Foundation is creating a way to broker the relationship between NGOs and government by serving as an intermediary. The Foundation's Legal Resource Center currently is conducting several research projects on policing and public safety. Researchers at the Center are surveying police-public relations. They are also exploring ways that NGOs can assume some level of control over police activity, mainly by receiving claims from the public against police and verifying them. The Center aims to consolidate public support for these initiatives by publishing the results of the projects and submitting press releases.

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[24] Interview with Aleksandr Jakovlevitch Sukharev, director, Research Institute of the Problems of Strengthening Law and Order, Office of the Procurator General of the Russian Federation, January 20, 1998.
[25] Kramarev, interview.
[26] Kortunov, interview.

Citizens' Watch, a St. Petersburg-based organization founded in 1992, promotes greater Parliamentary and civil control over Russia's security forces. Its small staff of lawyers, human rights activists, and social scientists organize seminars to draft legislative amendments that would bring Russian law into conformity with international human rights standards. Previous seminars have addressed issues of criminal justice, neo-Nazism, international legal norms, and criminal police. The staff also advises members of the Duma and the City Council on human rights, security policy, and personal data protection.

Domestic violence was the cause of 50,000 deaths in 1995.[27] There is growing recognition of the problem, yet police have not given it much attention. According to a reporter for the *Los Angeles Times*, victims of domestic violence "seldom bother going to the corrupt and mostly male police, knowing in advance that they will not get a sympathetic hearing."[28] Because batterers are often the main source of income in a family, and because they will likely return to the family after only a few days in jail, women are reluctant to press charges against their domestic partners. Anticipating this, police consider responding to reports of domestic violence a waste of time.

Several women's organizations in Russia are trying to overcome the twin problems of domestic violence and police unresponsiveness to the victims. One such organization is the St. Petersburg Psychological Crisis Center for Women, a group including psychologists, lawyers, and volunteers who provide services to victims of domestic abuse. Although the center does not advise its clients on whether or not to approach the police, one of its goals is to help women overcome their fear of pursuing official legal remedies.

The center's directors have found it difficult to work with police on these problems, except for a few young investigators on the force. Many police officials believe that domestic affairs, including violence, are simply none of their business.[29] It is unlikely that this attitude will change soon. A starting point, the center's directors suggest, might be to address the problem of domestic abuse among police officers themselves.

Media
Only since the end of the Soviet regime have the media in Russia reported freely on crime. To readers unaccustomed to detailed accounts of murders, rapes, and robberies, these reports foster a profound fear of crime. A former Interior Ministry official describes the new Russian media as free, open, and critical—but irresponsible.[30]

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[27] Interview with Larisa Korneva, executive director, St. Petersburg Psychological Crisis Center for Women, January 22, 1998.
[28] Vanora Bennett, "Russia's Ugly Little Secret: Misogyny," *Los Angeles Times*, January 6, 1997, A-1, 9-10.
[29] Kramarev, interview.
[30] Interview with Inga B. Mikhailovskaya, member of the executive board, Open Society Institute, January 20, 1998.

Although crime reports may be sensationalistic or inaccurate, the Russian police today feel themselves accountable to the media. Journalists report about crime and the failures of police to control crime, as well as about police abuse and misconduct. A former police chief of St. Petersburg says that, in the absence of good public-police relations, the police hear the voice of civil society through the media alone.[31] Nevertheless, media independence is uncertain today, as newspaper ownership consolidates in a few hands.

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[31] Kramarev, interview.

Country Overview: United States
Focus on Los Angeles and New York City

Keeping the peace in the United States' two largest cities, New York and Los Angeles, is fraught with enormous challenges: violent crime, delicate race relations, large immigrant communities, and general problems of disorder. In addition, both the New York Police Department and the Los Angeles Police Department have had to confront internal problems: police corruption, misuse of force, and brutality. Over several decades, new challenges and scandals have prompted NYPD and LAPD executives to rethink their organizational structures, control mechanisms, training programs, deployment patterns, and tactics. Sweeping reforms have been advanced from time to time in both cities.

What has been the effect of these reforms, and what can others learn from them? In the fall of 1997, the Vera Institute of Justice convened two roundtable discussions, one in New York and one in Los Angeles, with policing experts and practitioners to discuss some lessons that might be drawn from both the missteps and achievements of these efforts. The following overview is based primarily on those discussions. A list of participants for each meeting is attached.

Both the Los Angeles and New York Police Departments have served as examples for police agencies in many countries. Until May of 1992, when LAPD officers were videotaped delivering 56 blows to motorist Rodney King, the Los Angeles police were widely considered among the most professional and modern in the world. In the 1990's, the NYPD has entered the spotlight as crime in the city has steadily declined.

Police in São Paulo, Cape Town, Budapest, and other cities are curious to know what has caused the "New York miracle," as it has become known. In truth, no one is certain what has caused crime to drop in New York, but almost everyone attributes some part of it to the NYPD. In particular, they credit two innovations developed by former commissioner William Bratton: a crackdown on minor crimes that contribute to an appearance of disorder in a community; and COMPSTAT, a computerized crime mapping system designed to hold local commanders accountable for crime in their areas. Commissioner Bratton himself also credits the previous administration for raising taxes specifically to hire thousands of additional police officers.

Civil liberties advocates might argue that the NYPD's crime-fighting strategies carry a price: more aggressive policing tramples constitutional rights and alienates law abiding residents in neighborhoods singled out for heavy handed police tactics. Indeed, complaints of police misconduct and brutality have increased substantially. In August 1997, the alleged torture of Abner Louima, a Haitian immigrant, in the station house of Brooklyn's 70th precinct brought this danger to the world's attention.

Both the Rodney King and Abner Louima scandals motivated the departments and city leaders to take action. The Christopher Commission was created by the Los Angeles Mayor's Office and the LAPD to conduct a thorough audit of the department's internal disciplinary system, and New York Mayor Rudolph Giuliani created a special task force to recommend ways of improving police-community relations and pledged new support for the city's Civilian Complaint Review Board.[1] In Los Angeles, the county Board of Supervisors also commissioned a report on ways to improve the Los Angeles County Sheriff's Department (LASD).

Organizational Structure and Strategies

The NYPD, LAPD, and LASD are the agencies responsible for patrol and investigation in the two cities. The size of the forces and populations they cover vary considerably: the NYPD has 40,000 officers in a city of 7.25 million residents; the LAPD's 8,000 officers police the city's 2.5 million residents; and 8,000 deputies of the LASD police the county's 9 million.[2] The NYPD is commanded by a sworn chief of department, who reports directly to a civilian police commissioner appointed by the mayor; in Los Angeles, the sworn chief of department reports to a panel of five civilian commissioners; the LA County sheriff, by contrast, is publicly elected.

Community Policing

Community policing in the United States began in a loose partnership between police chiefs and scholars of policing. Efforts in Houston, Detroit, Santa Ana, and New York in the early 1980s experimented with neighborhood foot patrol and a closer relationship between local officers and residents. Academics including Mark Moore, George Kelling, and Herman Goldstein added theoretical gloss and coherence to these experiments, each emphasizing different aspects of the new approach. The chiefs and the scholars brought their work together in a series of "executive sessions" at Harvard's John F. Kennedy School of Government in the mid-1980s. The experimental era of community policing drew to a close in the early 1990s, when President Clinton identified community policing as the label for his program in the 1994 Crime Bill to add 100,000 police to local departments. Political considerations in the distribution of those funds meant that the phrase, "community policing" had to be applied to every police activity. As a result, the phrase is widely regarded as so loose as to be meaningless. Nevertheless, a handful of urban departments and policing scholars continue to pursue the original

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[1] Michael Cooper, "Giuliani to Aid Police-Monitoring Agency He Had Fought," *The New York Times*, September 17, 1997.
[2] Paul Chevigny, *Edge of the Knife*. New York: The New Press, 41.

Map K: Country Overview: United States (Focus on Los Angeles and New York City)
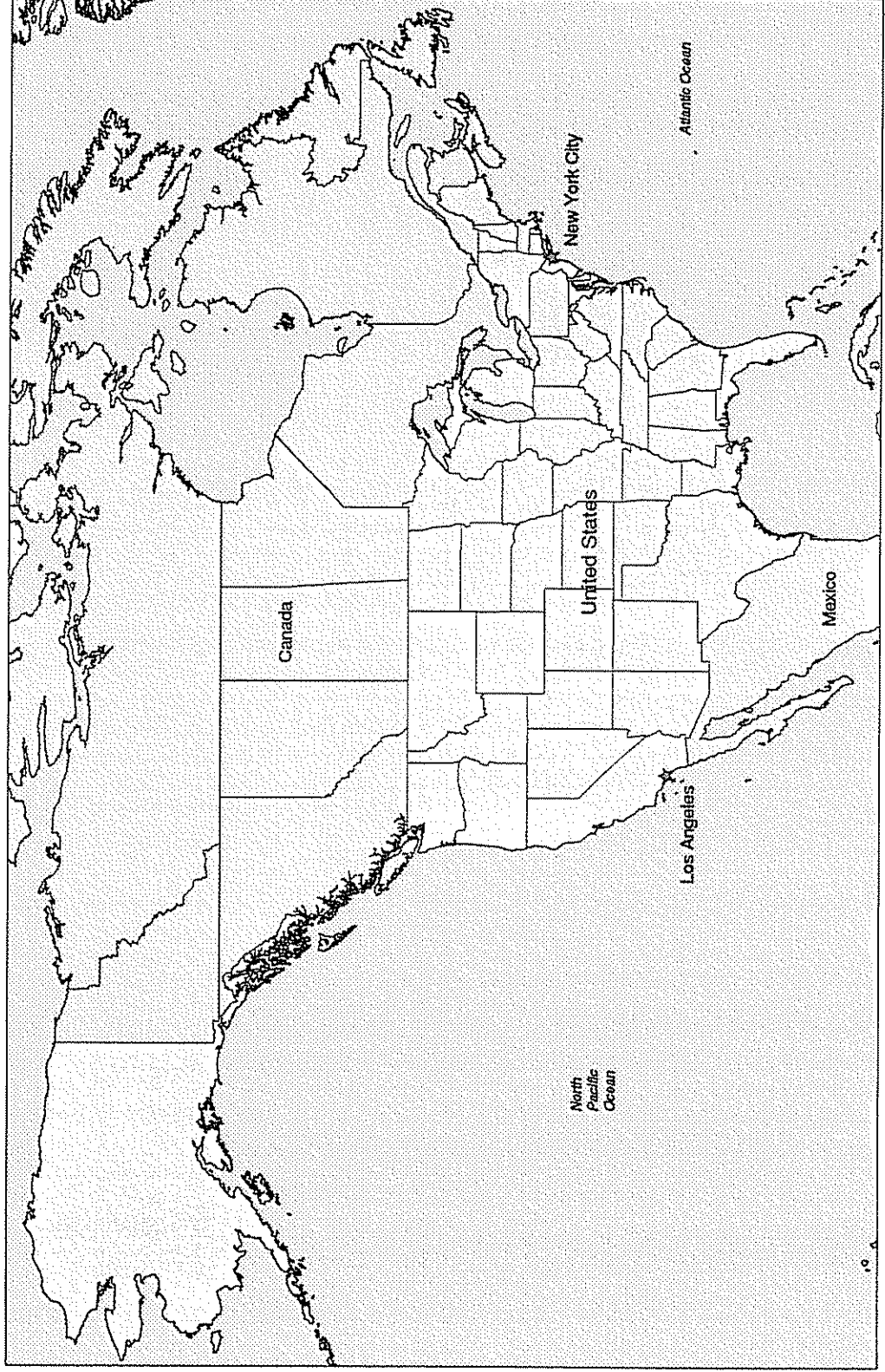
ambition of community policing, believing that it represents a significant and useful change in police strategy.

New York was among the first cities to experiment with community policing, while Los Angeles, in 1992, was among the last to begin before President Clinton's Crime Bill changed the terms of the discussion. New York largely abandoned its community policing program with Mayor Giuliani's election in 1993, after he ridiculed it as social work during the campaign. Los Angeles continues to pursue its community policing initiatives, both in the city Police Department and the county Sheriff's Department.

Community policing in New York, operated through special community police officer programs (C-POP) in each of the city's 75 police precincts. The C-POP officers were assigned relatively small beats and were required to consult with residents individually and in groups and to read reports on all emergency calls received from their beats each week in order to inventory crime conditions and related problems block by block. The officers were then expected to develop strategies to deal with each of the major problems. The beat cop was at the center of the initiative.

In Los Angeles, community policing was introduced following the recommendation of the Christopher Commission in 1992. The LAPD followed the commission's recommendations and established Community Police Advisory Boards in every neighborhood. These are voluntary associations of residents with whom the police commanders meet monthly. In relatively disorganized communities, the police themselves took responsibility for bringing community residents into these structures.

The Los Angeles Sheriff's Department is also working with community associations to identify problems and develop solutions. In Los Angeles, these community structures, rather than the beat cops, are at the core of the initiative.

The new Los Angeles police chief, Bernard Parks, is skeptical about the value and legitimacy of the advisory boards, worrying that they can easily be dominated by unrepresentative residents. He also fears that responding to these boards will push police into roles usually associated with local politicians, such as mobilizing other city agencies to repair conditions in the neighborhood. He supports community policing, but wants to embed it as part of "community government" so that the police do not expand their roles into the territory of other officials. The sheriff, on the other hand, believes that his deputies must play this role if anyone is to do so. He sees the police as the only agency with the resources, the presence, and the credibility to get government services delivered.

Quality of Life Policing

After 1992, the New York Police Department abandoned the rhetoric of community policing but continued to focus on the enforcement of laws prohibiting minor annoyances: public drinking, street prostitution, graffiti, and disorderly conduct. The department targeted this enforcement strategy on locations (blocks or street corners)

where they had noticed an elevated level of serious crime. This strategy fit a theory first proposed by George Kelling and James Q. Wilson in their *Atlantic Monthly* article, "Broken Windows," which speculates that signs of disorder in a community lay fertile ground for further disorder and crime.[3] Removing the visible signs of disorder, they propose, reduces a neighborhood's propensity toward crime. The effect, some scholars claim, is an upward spiral in crime reduction and orderliness: arresting turnstile jumpers makes people feel safer on the subways, ridership increases, and people feel safer using the transit system with more people around them.

Civil liberties proponents, however, say the approach is too aggressive and unfairly criminalizes the activities of the poor, homeless, and racial minorities. One new strategy is particularly controversial. In some precincts, the NYPD has begun closing off certain blocks where drugs are commonly sold and checking residents' identification before allowing them to enter. *The New York Times* reports that "many residents interviewed said the occasional inconvenience was a price they were willing to pay if it meant they could sit on their stoops without fearing drug dealers."[4]

Crime Reporting

The NYPD is credited with pioneering the use of computer mapping technology to spot crime trends and to hold precinct commanders responsible for crime in their areas. In January 1994, the chief of department and police commissioner began convening all of New York's borough and precinct commanders to review recent crime incidents in a handful of selected precincts. The meetings are now held twice a week at 7:00 AM. Officers from the selected precincts are notified 24 hours before they must stand before the chief of department—who projects a map of their territory pinpointing the crimes on a screen above their heads throughout the meeting—and explain what they are doing to address the problems.

Commissioner Bratton used the COMPSTAT meetings as a way to communicate departmentwide goals and strategies to the entire chain of command. Recently, the chief of department has begun holding precinct commanders to account for civilian complaints lodged against officers in their units. COMPSTAT also became a forum for officers from different precincts to share strategies and coordinate their efforts with each other.

Programs similar to COMPSTAT have now been adopted in New Orleans and Los Angeles. The LAPD version is called FASTRAC: focus, accountability, strategy, teamwork, response, and coordination. Officers are asked to respond to questions from

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[3] James Q. Wilson and George L. Kelling, "Broken Windows," *Atlantic Monthly*, March 1982.
[4] Kit Roane, "Siege of 163d Street: Police Take Over Drug-Ridden Block to Save It," *The New York Times*, September 21, 1997.

the chief about crime that occurs on their watch, but also about citizen complaints, response time, overtime expenditures, unnecessary use of force, and other problems.[5]

Skeptics of this strategy say that the pressure it creates for police to produce declining crime statistics is too great. Facing reprimands and humiliation in the meetings, commanders may be tempted to underreport crime, downgrade serious crimes to less serious ones, or simply fake the numbers. Others say that this is not so important, since local precincts have always underreported crime, and since serious crimes—like homicide—cannot be faked.

Gender

The NYPD staffs each precinct with at least one Domestic Violence Officer (DVO) in each precinct who is responsible for taking domestic violence reports and conducting victim outreach. The NYPD has a domestic violence registry for orders of protection against batterers (but only orders in effect, not previous orders). Opinions of the DVO program are mixed. Although it encourages women to report domestic violence incidents and provides someone with experience and training in gender issues to respond to women, it means that other officers are not required to treat domestic violence as an ordinary crime. Also, being a DVO is not a prestigious post within the department, and the DVOs' capacity to respond adequately is limited by resources and low availability of vehicles.

The LAPD offers a 40-hour course in domestic violence and is developing a course manual on domestic violence law enforcement procedures, which will be the first of its kind in the country. A special investigative unit with 18 divisions handles domestic violence cases exclusively. Tim Williams of the LAPD's Domestic Violence Enforcement unit says that the force has become more committed in the last seven or eight years to addressing the problem of domestic violence, partly because officers began seeing the harm that domestic violence can cause to children.[6]

In July 1997, the Domestic Violence Task Force of the Office of the LAPD Inspector General reviewed the department's effectiveness at handling domestic violence investigations of its own personnel between 1990 and 1997. The Task Force found that the department sustained 40 percent of the 227 cases processed during that time, while the department referred 58.3 percent of other domestic violence cases to a prosecutor. Moreover, the discipline administered in these cases was "exceedingly light" in view of the facts surrounding the cases.[7]

[5] Matt Lait, "A New Way for LAPD to Target Crime," *Los Angeles Times*, October 23, 1997.
[6] Interview with Tim Williams, detective, Domestic Violence Enforcement unit, LAPD, October 3, 1997 [by Amy Gong].
[7] Katherine Mader, "Domestic Violence in the Los Angeles Police Department: How Well Does the Los Angeles Police Department Police Its Own?" July 22, 1997, i.

Internal Control

Concerns about the high level of shooting incidents among NYPD officers led to an overhaul of the department's regulations on the use of firearms in the early 1970s. The NYPD has become known since then for its relatively infrequent use of firearms. One of the more innovative oversight mechanisms is the Patrol Borough Shooting Team, which reviews all firearms discharges by NYPD officers. If any use of a firearm results in an injury, the leader of the shooting team must immediately notify the Internal Affairs Bureau and the district attorney's office. Within 90 days of the incident, the shooting team leader prepares a report to the department's Firearms Review Board, which consists of the chiefs of department. Since 1972, the board has reviewed such reports once each month. Most cases are passed over, and the board only reviews the most exceptional cases.[8]

State Control

Executive

The formal oversight structure of the Los Angeles Police Department is unique. The sworn chief of police reports to a board of five civilian commissioners. The Police Commission's oversight powers were limited until recently, when—based on a recommendation of the Christopher Commission—it gained the authority to remove the chief, whose tenure had until then been protected by civil service regulations. One member of the commission recently proposed expanding the commission's powers to require a briefing anytime an officer is responsible for a serious injury.[9]

The office of the LAPD Inspector General, currently occupied by Katherine Mader, a former prosecutor, was created in July 1996 on the recommendation of the Christopher Commission. The IG is a civilian based at police headquarters who is appointed by, and reports to, the five-member Police Commission. The IG's duties are to audit, investigate, and oversee the Police Commission's handling of misconduct complaints. Mader has full access to the department's records and can investigate individual cases as well as general problems and trends. Approximately half of the complaints received by the IG come from police officers and other department employees related to management and personnel issues.

According to Mader, her effectiveness is hampered by several factors. Senior LAPD officials find the role to be overly intrusive, especially because she can recommend action in specific cases; any criticism she expresses of the department's disciplinary process can be perceived as criticism of the department and its chief; her tenure is

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[8] Interview with Vincent Henry, Office of Management Analysis and Planning, New York Police Department, February 10, 1998 [by Philip Moustakis].

[9] Matt Lait, "LAPD's Use of Force Could Get Broader Review," *Los Angeles Times*, November 25, 1997.

dependent on the Police Commission; and she finds resistance among some police officials to recommendations put forth by a civilian.

The LA Sheriff's Department has created an entirely different oversight structure: the special counsel, or ombudsman, a position currently held by Merrick Bobb, who has also served as special counsel to the Los Angeles Police Commission. The ombudsman has full access to LASD files and staff. Rather than investigate allegations against police case by case, the ombudsman reviews the complaints, evaluates the quality of internal investigations, and reports his findings to the sheriff every six months. If the ombudsman discovers a severe problem, he may refer it to a special panel of judges.

The Federal Bureau of Investigations (FBI) may launch its own inquiry into activity among municipal and state law enforcement agencies that constitutes a federal offense. Some experts say these inquiries are not as effective as local investigations, however, because federal agents are less familiar with the day-to-day operations and internal culture of a force they have not worked in.

Although local police departments are funded through local and state tax revenues, the federal government is sometimes a major funding source for many local criminal justice agencies, especially police departments.

Prosecutors

The Official Corruption Unit of the Manhattan District Attorney's office has the independent authority to investigate police corruption and, occasionally, abuse of force with the assistance of police investigators seconded to the unit. In some cases, the prosecutors and investigators work with the NYPD's Internal Affairs Bureau; other times, they work on their own. Prosecutors in the Official Corruption Unit can conduct random integrity checks to identify corruption-prone officers.

There are many reasons why prosecutors with the Official Corruption Unit find it more difficult to prosecute police accused of brutality then those accused of corruption. The unit has various ways of collecting evidence related to corruption—video and audio tapes, undercover officers, inside informants, and physical evidence—whereas there are not always clear signs that a beating took place. A corrupt officer typically commits the same crime more than once, while brutality occurs in isolated, random incidents. Moreover, even when prosecutions are brought, juries tend to sympathize with police officers, not the victims, whose own criminal records are usually brought into question. Indeed, prosecutions are astonishingly rare in New York. On May 29, 1997, the second police officer in New York history was convicted of homicide; the first was in 1977.

For many years, the district attorney's office in Los Angeles ran a program called Operation Rollout. Every time an officer of the LAPD or LASD was involved in a shooting, an assistant district attorney would go to the scene and observe the internal investigation process. Paul Chevigny, a professor at New York University School of Law,

contends that the program was not very effective because lawyers were not allowed to talk to the witnesses until after police had interviewed them.[10]

Although Operation Rollout is no longer active, all shootings by LAPD officers must be referred to the district attorney, who then has the discretion to decide whether to bring a prosecution. The drawback to this system, claims Merrick Bobb, is that the internal disciplinary system is often suspended until the prosecutors' investigations are complete. Since most cases do not result in the prosecutor filing charges, the delay this system causes only weakens the internal process.

Civil Suits

In New York and Los Angeles, personal injury claims involving police abuse are paid by a general city fund, not the department or the individual officer. Even though New York City paid $27.3 million to 511 victims of police abuse in 1996, there is no internal review or investigation by the police department into the accused officers' actions.[11] The suit is not even recorded in the accused officers' personnel file.

Since the Christopher and Kolts Commissions, the LAPD and LASD have begun using information from civil claims as a tool to help identify high-risk officers and patterns of misconduct. Since this policy was put into effect in 1992, the number of misconduct lawsuits in LA has dropped by 70 percent.[12]

For some victims of police abuse, however, monetary awards are not enough. People still want to see the responsible officers punished or at least reprimanded. Many just want an apology or some acknowledgment that the officer was in the wrong.[13]

Social Control

Civilian Complaint Review

For years, the mayor, City Council, and citizens of New York have debated the proper structure of the City's civilian review system. Until 1992, the system was affiliated with the police department and was widely considered partial towards the police. Under Mayor David Dinkins, a new board was established with 12 independent civilian members. The board's 85 investigators are all civilians, though some are former police officers.[14]

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[10] Chevigny, 50.
[11] Deborah Sontag and Dan Barry, "Using Settlements to Measure Police Abuse," *The New York Times*, September 17, 1997.
[12] Sontag and Barry.
[13] Sontag and Barry.
[14] Dan Barry, "Independent Agency Fails to Police the Police, Critics Charge," *The New York Times*, July 13, 1997, 19.

Map L: U.S. Civilian Review Bodies

Community Appeals
Board (Boston)
☆ Civilian Police Review
Board (Hartford)
☆ Civilian Complaint Review
Board (New York)

☆ Complaint Evaluation
Board (Baltimore)

Minneapolis Civilian Police
☆ Review Authority

Chicago Police Board
☆

Citizen Police Complaint
☆ Office (Indianapolis)

Sheriff's Independent Citizens'
Review Board (Orlando)

☆ City of St. Petersburg Citizen
Review Committee

Office of Citizen Complaints
☆ (Kansas City, MO)

☆ Dallas Citizen Police Review Board

Police Review Commission (Berkeley)
☆

Citizens' Police Review Board (Santa Cruz)
☆

Inspector General, LAPD (Los Angeles)
☆

Disciplinary Review Board (Phoenix)
☆

Citizens Law Enforcement
☆ Review Board (San Diego)

Source: IACOLE, International Compendium of Civilian Oversight Agencies, September 1997

CCRB staff review all complaints and try to eliminate vexatious ones. If the CCRB accepts a complaint, investigates it, and "substantiates" it, then the claim is passed over to the police commissioner, who alone can decide whether to punish the accused officer. Of 5,716 complaints received in 1996, the board substantiated 259 cases involving 233 police officers; of those, 53 were disciplined.[15]

The level of citizen satisfaction with the process depends less on the outcome of the complaint than on the responsiveness he or she receives from the CCRB. A study by the Vera Institute of Justice in 1989 surveyed complainants and found that satisfaction with the process was inversely proportionate to the outcome. That is, complainants who had to return to be interviewed or wait for a long time for a disposition were the least satisfied, even when their complaint was substantiated.[16] The CCRB is currently launching a mediation effort based on the study.

Neither the city nor county of Los Angeles have a civilian complaint review system, though the LAPD inspector general and LASD ombudsman perform many of the same functions.

Nongovernmental Organizations: Public Safety

There is a wide range of organizations in New York and Los Angeles working to improve public safety and control crime, from block associations to auxiliary police forces. The growth of community policing in these cities and throughout the United States has provided a forum for many of these groups to voice their needs and concerns directly to police. In some instances, they have worked constructively with the police to focus attention and resources on the problems they point out.

Nongovernmental Organizations: Misconduct and Abuse

In New York, Los Angeles, and throughout the United States, small coalitions of ethnic and racial minority groups have placed police brutality and accountability at the top of their agendas. In New York, the Stolen Lives Project, the October 22nd Coalition, Parents Against Police Brutality, and many other groups have held public demonstrations against police abuse and impunity. Groups such as the Alliance Working for Asian Rights and Empowerment and Police Watch in Los Angeles have adopted similar strategies.

Local ACLU and NAACP chapters have also been active in monitoring police misconduct and abuse. The NYCLU monitors the NYPD, but also the city's Civilian Complaint Review Board; tracks the numbers and dispositions of complaints; denounces the CCRB when it is perceived to be ineffective; and recommends improvements. In Los Angeles, volunteers at the local ACLU chapter tested the LAPD

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[15] Cooper, Michael, "Complaints About Police Down 21% Through May," *The New York Times*, June 20, 1997.
[16] Michele Sviridoff and Jerome E. McElroy, *Processing Complaints against Police in New York City: The Complainant's Perspective*, Vera Institute of Justice, January 1989.

on compliance with its own rules on responding to members of the public who want to register complaints against officers. Local NAACP chapters forward police brutality complaints to the Civil Rights Section of the Department of Justice for possible prosecution.

Women's Organizations

Among many women's organizations assisting domestic violence victims is the Family Violence Project of the Urban Justice Center. Volunteers and counselors for the project accompany NYPD domestic violence officers when they respond to domestic violence calls to help counsel the victim and batterer and refer either or both to appropriate social services. Directors of the project are also developing a gender sensitivity curriculum that will be taught at the police training academy.

Policing in New York City: Current Strategies and Oversight Roundtable Discussion

September 3, 1997
New York City

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Policing in Los Angeles: Current Strategies and Oversight Roundtable Discussion

December 8, 1997
Los Angeles

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Country Overview: Brazil
Focus on São Paulo and Rio de Janeiro

Among Latin American countries, Brazil is known for violent civilian crime and equally violent police response. The problem has escalated since 1985, when the country began making the transition from 20 years of military dictatorship to a more democratic form of government. Before then, the army controlled Brazil's Military Police, whose role—in addition to preventing crime and maintaining order—was to contain communism. After the election of José Sarney and the adoption of the 1988 Constitution, the police came under civilian control and turned from waging a political war to waging a war on crime. By 1992, police accounted for nearly one third of all homicides.[1]

More recently, three brutal incidents, captured on video and shown on national television, have opened a window of opportunity for reform. São Paulo Military Police were taped beating 15 people in full view of passersby. Then, on March 6, a bystander filmed São Paulo police as they ordered three men out of a car, hit one of them 39 times with a nightstick, allowed the men to leave, and then fired through the car's rear window, killing one. On March 12, another bystander filmed six Rio de Janeiro Military Police soldiers beating 12 residents of the Cidade de Deus favela, a low-income neighborhood.

Many other incidents of police killing, torture, extortion, kidnapping, and false arrests—in which rural peasants, homeless people, and residents of favelas were the principle victims—have been widely publicized in newspapers and in human rights reports.[2] In reaction to all these events, the president, members of Congress, government Ministers, state legislators, lawyers, advocates, and even police have presented their agendas for reform.

Today, the Brazilian Congress is considering a range of proposals, most of them related to the structure, responsibilities, and oversight of police agencies. However, observers say that changing police culture, and shaking a reputation for violence, will take more than new legislation.

Organizational Structure and Strategies

Military Police
Police in Brazil are organized in three ways. In addition to a national police force—the Federal Police—with about 4,000 officers, each state has its own Military Police and

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[1] Paul Chevigny, *Edge of the Knife.* (New York: The New Press, 1995), 148.
[2] U.S. Department of State, *Brazil Country Report on Human Rights Practices for 1997,* January 30, 1998.

Civil Police. The Military Police are responsible for patrolling, responding to calls, and making arrests when suspects are caught in the act. The Civil Police investigate crimes once they occur. In the state of São Paulo, the ratio of Military to Civil Police officers is two to one. Because the Military Police are responsible for patrol, first incident reports, and preventive policing work, and because they have the most contact with civilians, they will be the focus of this overview.

Although the Military Police now report to a civilian governor, they are still linked to the military in several ways. No officers or soldiers were purged after the transition, even though they were known to have participated in antiterrorist death squads. As a result, many of them remain on the force today.[3] In the event that national security is threatened, Military Police personnel act as a reserve unit of the army.[4]

Military Police enter the force either as soldiers (soldados) or as officers. Soldiers receive six months of training; officers study for two years. Life at the training academies is highly regimented, and recruits must live at the academy for the first year. Perhaps the most significant connection to the military, however, concerns the structure of accountability for this force. Military Police accused of criminal offenses are tried in special military courts for all charges except "intentional homicide."

Salaries

Police, politicians, and scholars agree that pay increases should be included in the broad structural reforms now under consideration by Congress. Salaries are very low, and paychecks are distributed chronically late. After the three police brutality incidents were exposed by the media in 1997, Military Police in every state came under heated public criticism. Feeling berated and undervalued, they organized strikes in 17 out of 26 states. In July 1997, about 30,000 of the country's 360,000 Military Police personnel were on strike.[5]

Their protest is not unwarranted. Military Police officials in São Paulo explained that they were one of the few states that did not strike because, although their pay is low—about $500 a month—they were paid every month. Police in poorer states like Pará, where the salary is around $180 a month, had waited up to eight months for a paycheck.

With higher salaries, it is argued, morale will improve, police will become more professional, they will recruit better candidates, and corruption will decline. But, while more pay may help alleviate certain problems, it is no panacea. Sustainable improvements require strong leadership, high expectations, clear objectives, and an accountability system that guarantees consistent incentives and sanctions.
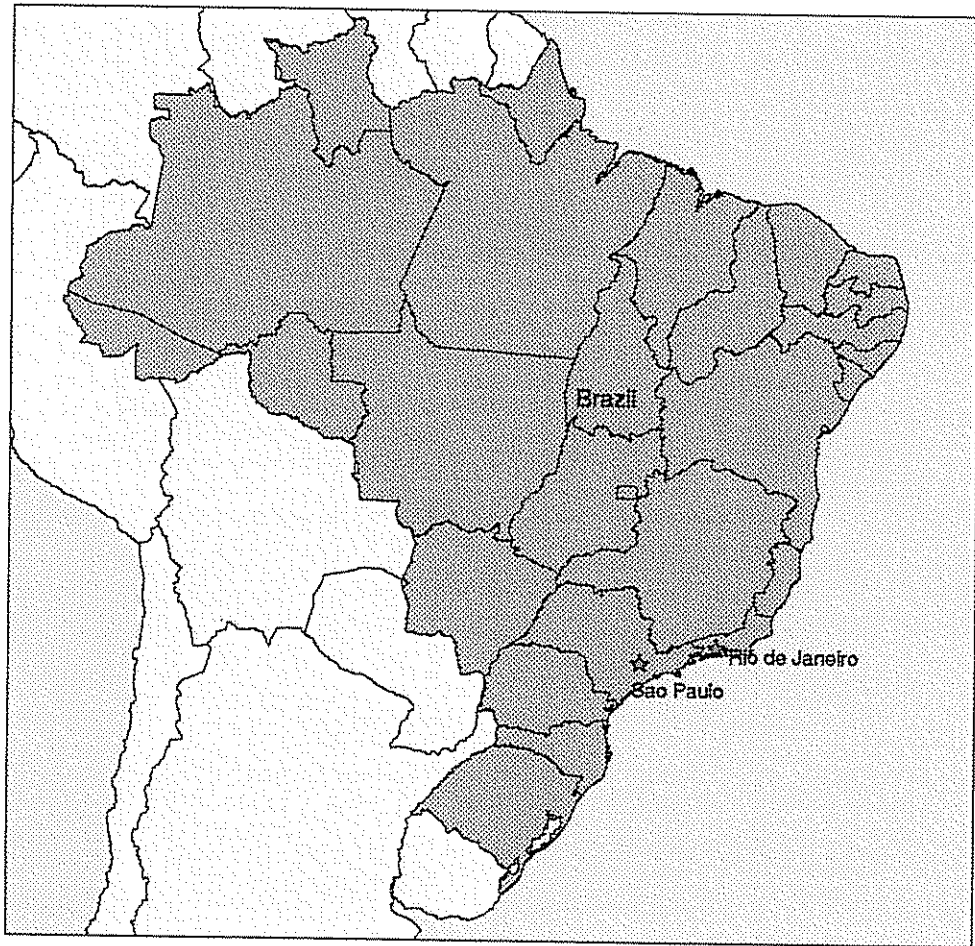
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[3] Human Rights Watch/Americas, *Police Brutality in Urban Brazil.* (New York: Human Rights Watch, 1997), 21.
[4] Human Rights Watch/Americas, 19.
[5] Angélica Santa Cruz and Sandra Brazil, "A Rebelião Armada," *Veja,* July 31, 1997.

Map M: Country Overview: Brazil (Focus on Rio de Janeiro and Sao Paulo)

Crime Reporting and Research

Decisions about tactics, strategies, and allocation of resources are made by the highest ranking official of the Military and Civil Police in each state. The basis of their decisions is unclear. Each district reports monthly crime statistics to the state police headquarters, but aggregate figures are only available annually. Some researchers say the basis for deployment patterns is not scientific, but political.[6]

When crime is reported to the Military Police, either in person or by telephone, soldiers are responsible for completing a first incident report (boletim de ocorrência). The reports are sent to state Military Police headquarters each month. It then takes at least one more month for headquarters to aggregate the statistics and send them back to the districts with deployment directives. Once a year, these figures are made available to the public.

Getting an accurate picture of crime is complicated by the fact that the Civil Police and the Military Police maintain separate crime statistics, from incomparable districts, that each has drawn on its own. Some private researchers have begun creating their own crime maps. Sociologists from the Center for Contemporary Cultural Studies, for example, have mapped the risk of violence for all of São Paulo, piecing together data from the Military and Civil Police districts and census districts. One goal of the report is to stimulate public debate around safety issues, based on a more complete overview of crime by district.

Community Policing

The São Paulo Military Police have developed a highly organized and active community policing program, with nearly 650 public safety councils (conselhos públicos) throughout the state. The goals of the program, which is coordinated centrally by a Military Police captain working at the state Ministry for Public Safety, are to establish safety priorities in the community, help resolve problems not related directly to crime, and educate the community about crime prevention.[7]

Nearly every neighborhood in the city of São Paulo has a CONSEG, as the councils are known, that meets monthly with one Military Police officer and one Civil Police officer at a school, library, or restaurant. The CONSEGs are initiated by the police, but the members are responsible for keeping them going. Participation is voluntary, although the Secretary for Public Safety, which oversees the state program, has recommended that certain community members—at least one from every major profession, neighborhood, and interest group—should be present at the meetings.[8]

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[6] Interview with research staff, United Nations Institute for Crime Prevention and Treatment of Offenders, August 7, 1997.

[7] Interview with Luiz Eduardo Pesce de Arruda, captain, Military Police, August 6, 1997.

[8] Secretaria da Segurança Pública, "Relação de Públicos Básicos dos CONSEG," internal document.

The concerns, needs, and purpose of the CONSEGs—and the level of police response they marshal—vary with each district. In the opinion of many senior officers, the most exemplary CONSEG is the one in downtown São Paulo, whose members are banking executives interested in attracting commerce to the area. The district Military Police captain, in response to their concerns, is occupied with removing homeless squatters from empty lots and abandoned buildings.[9]

In the fall of 1997, the CONSEG coordinator, under the direction of the Secretary for Public Safety, administered a survey to police officials and residents of the state of São Paulo asking them to evaluate the CONSEG in their districts. The coordinator intends to improve the program based on the survey results.

In the early 1990s, Viva Rio, a project of the Institute for Social and Religious Studies in Rio de Janeiro, implemented a community policing project with assistance from the U.S.-based Police Foundation and in collaboration with the state of Rio de Janeiro's Military Police. The first neighborhood to pilot the project was Copacabana, an upper-class beach community, and representatives of Viva Rio say residents and police were pleased with the results.[10] Shortly after the project was launched, however, the general in command of Rio's Military Police was replaced with an army general, who considered community policing to be "soft." He dissolved the program and launched a highly aggressive new war on crime.

Responsiveness to Women

Since 1982, the female division of the Military Police has operated special police stations (delegacias) where women can report domestic violence, rape, and child abuse. After the stations opened, reporting of these crimes increased dramatically. However, there is growing concern among human rights organizations and women's groups that assigning these crimes to a special group of officers, rather than requiring the entire department to deal with the problems, only marginalizes and invalidates crimes against women.

Internal Control

Military Courts

It is difficult to perceive a clear pattern of accountability inside the Military Police. The disciplinary system is strict and severe for some infractions, but the military courts that try police for criminal offenses almost never convict. According to the São Paulo state Ombudsman (Ouvidor) for police, "It is more likely that, in the Military Police, someone is punished for having a dirty boot and not for killing a person without a good reason.

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[9] Interview with members of Viva o Centro, August 5, 1997.
[10] Interview with Elizabeth Sussekind, Viva Rio, August 21, 1997.

Today most penalties in the Military Police are for violations like getting married without asking permission and smoking in front of an officer."[11]

Once a violation is brought to the attention of the Military Police, investigations are carried out by the corregedor, a special internal oversight unit. There is wide perception that, because the Military Police are involved in investigating fellow officers, the investigations are not independent or objective. For example, it is not uncommon that other police officers are the only witnesses interviewed by the investigators, or that investigators look into the victim's criminal background.[12]

Upon completion of the investigation, the case is adjudicated by a separate military justice system for the prosecution of Military Police officers. A 1969 decree requires that all crimes committed by Military Police while on duty, and while off duty but with weapons registered to the Military Police, be tried in special military courts.[13] But deaths caused by police are almost never classified as crimes. Police typically set up the shootings to look like self-defense, according to a lawyer from the Centro Santo Dias, a human rights organization affiliated with the Catholic Archdioc..e, who represents the victims and their families in civil suits.[14] The Center finds that police do many things to cover up the killings: They place unmarked guns in the hands of victims (sometimes in both hands to avoid mistaking right and left-handed persons; they fire the guns from the dead persons' hands to leave traces of gunpowder; and they remove the shirts from dead victims to leave no clue that the victims' hands were in the air when they were shot.[15]

Even in the rare instance when the military courts pursue a criminal prosecution, conviction is virtually impossible. The courts are so backlogged, reports Human Rights Watch/Americas, that a homicide prosecution can take as long as 10 years.[16] Less serious crimes, such as abuse of authority or assault, are often not prosecuted at all because the statute of limitations runs out before the case comes to trial.

After police were suspected of carrying out the massacre of eight street children— who are a common nuisance for police and shopkeepers—at the Candelária Church in Rio de Janeiro, President Fernando Henrique Cardoso, in August 1996, signed a bill shifting jurisdiction for "intentional homicide" by police to ordinary courts. However, the provision is undermined by the fact that a police judge (promotor de justiça) determines whether or not an act is intentional. When making this determination, the judge may exclude any testimony, including that which contradicts the testimony of the police involved.

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[11] "O fardo da farda," *Veja*, July 30, 1997. Translated from Portuguese.
[12] Human Rights Watch/Americas, 24.
[13] Human Rights Watch/Americas, 21.
[14] Beatriz Sinisgalli, "Police Violence in Brazil," oral presentation, Columbia University School of International and Public Affairs, spring 1996.
[15] Sinisgalli, oral presentation.
[16] Human Rights Watch/Americas, 22.

Firearms Review

The firearms review system of the São Paulo Military Police illustrates how scrutiny can occasionally subvert problems instead of eliminating them. The system uses the ammunition storeroom to keep track of bullets fired. Officers and soldiers receive 17 bullets each month and must complete a report describing the situations in which they were used. According to researchers at the United Nations Institute for the Prevention of Crime and Treatment of Offenders (Instituto Latino-Americano das Nações Unidas para Prevenção do Crime e Tratamento do Delinqüente, ILANUD), nothing prevents the police from buying their own ammunition and using their own guns.

State/Governmental Control

Executive

National Ministerial Working Group. Public outrage surrounding the 1997 video scandals provoked the political will to do something about abusive and negligent police. The Justice Ministry formed a ministerial working group, chaired by José Gregori, the National Secretary for Human Rights, to review public safety problems nationwide and to devise a plan to fundamentally reform policing. The working group asked for suggestions from all sides, including human rights organizations, bar associations, the São Paulo Ombudsman for Police, and the police. The recommendations proposed by Gregori's group are sweeping: coordination of crime data between the Military and Civil Police, modernization of equipment, greater community participation in public safety, human rights training, disarmament of weapons not issued by the police, salary increases, civil court jurisdiction for crimes committed by police, establishment of ombudservices in every state, and creation of CONSEGs in every municipality. Together, these changes suggest "a new concept of public safety that should relate public safety, under no uncertainty, with the well-being of society in the defense of democratic rule of law."[17]

It is important to note, however, that the federal government has far less control over police than the state governments. Although there is apparent will to reform police at the federal level among the president, his Ministers, and some members of Congress, the record shows that their power to carry through reforms in this area is limited.[18]

State Politics. Each state governor is responsible for the state Military and Civil Police. Some governors exercise more control over the police than others. During the military dictatorship, police followed orders from the political leadership and, during the transition, were blamed (though not punished) for the abuse they inflicted. Today, senior

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[17] "Medidas Mínimas de Reforma da Segurança Pública," proposal issued by ministerial working group (unpublished), 1997, 1. Translated from Portuguese.

[18] Telephone interview with Jim Cavallaro, director, Human Rights Watch/Americas Brazil office, February 1997.

officers say they are tired of doing the dirty work of politicians and that they are ready to be free of political influence.[19] Jairo Fonseca, Director for Human Rights of the Brazilian Bar Association/São Paulo Section, says that this moment, when the police have "woken up," is a critical opportunity for realizing change.[20]

State Ombudsman (Ouvidor). On November 20, 1995, the office of the Ombudsman of Police for the State of São Paulo opened its doors with a mission to "put the police at the service of the public,"[21] making it the first civilian review organization in all of Latin America. The post is currently filled by Benedito Domingos Mariano, a well-regarded human rights lawyer. His role is to receive complaints directly from the public against both Civil and Military Police, by phone, letter, or in person; investigate them; and refer them to the corregedor.

The office of the ombudsman is fully independent of the police, although the staff includes one advisor from the Civil Police and one from the Military Police. This arrangement, Benedito claims, gives the office credibility in the eyes of police. The ombudsman reports directly to the Secretary for Public Security of the State of São Paulo, to whom the head of the state Military and Civil Police also report. A staff of 15 receives and documents complaints and analyzes the resulting data.

In the first 18 months of operation, Benedito and his staff received 8,000 complaints and disposed of 4,500. Only 800 of the complaints related to abuse of authority, torture, or homicide, but they received the most prompt attention. At first, nearly all the complaints were about discourtesy; over time, people became more willing to report more serious violations.

Benedito takes partial credit for what appears to be a drastic reduction in homicides committed by police since his office opened. In 1992, police killed approximately 1,470 people; in 1996, the tally was 180. Although this number is still high relative to comparable cities in other countries, it is a sizeable drop. Not everyone thinks this is a good sign. Some sociologists suggest that the ombudsman's presence has only led the police to stop reporting the deaths they cause or to cover them up more artfully.[22]

Nevertheless, the ombudsman's office is hailed as a success by other states and by the federal government. The state of Pará recently created an ombudsman's office, and three other states are setting them up. The National Secretary for Human Rights's working group has recommended that Congress require every state to establish an ombudsman office.

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[19] Human rights training session for senior officers of the São Paulo Military Police, Columbia University, June 18, 1997.

[20] Interview with Jairo Fonseca, chair, Human Rights Committee, Brazilian Bar Association, São Paulo Section, August 6, 1997.

[21] Ouvidoria da Polícia do Estado de São Paulo, *Relatório Anual de Prestação de Contas 1996,* introduction.

[22] Interview with research staff, United Nations Institute for Crime Prevention and Treatment of Offenders, August 7, 1997.

Legislative

Congress. The 1988 Constitution gives states authority over all public safety matters. In order to carry out the reforms proposed by the ministerial working group on public safety, Congress would have to pass a constitutional amendment giving more control over policing to the federal government. One is now pending. Jim Cavallaro, director of the Brazil office of Human Rights Watch/Americas finds that, historically, Congress has moved slowly on human rights and police reform bills. He notes that, if the president and his ministerial working group are truly committed to carrying out the reforms they propose, they will have to draw on a lot of political capital.[23] Despite Congress's traditional reticence, however, public outrage over the videotaped incidents of police brutality in the spring of 1997 prompted quick passage of a law criminalizing torture, which had been pending for years.

State Legislatures. Although policing is a state function, state legislatures play only a small role. It is mainly the governor and state Minister for Public Safety who oversee police. Moreover, the state legislatures are even less committed to reform than the national Congress. Police in Brazil are prohibited from forming unions, but the majority belong to "clubs," which are organized by rank. Although the clubs are only supposed to sponsor social events, they constitute a strong lobby in the state legislatures. Their influence has helped block police reform at the state level.[24]

Judicial

Nearly all adjudication of criminal cases against police takes place in special military courts, but civilian prosecutors in each state can initiate their own investigations of police and indict them without having to wait for police to open an inquiry.[25] Some state prosecutors have been aggressive in taking on these cases. The prosecutor's offices in the states of Rio Grande do Norte and Belo Horizonte even have special units for prosecuting police. The majority of state prosecutors, however, do not get involved.

Brazilian law permits independent lawyers, appointed by the victim or victim's family, to assist military or civilian prosecutors. The assistants are usually provided by human rights organizations or human rights sections of the state bar associations. Their participation in the case is somewhat restricted, but they can prepare testimony and help the victims and family members navigate the process. Lawyers who act as assistant prosecutors say their extra attention to the case pressures prosecutors to be more vigilant.

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[23] Cavallaro, telephone interview.

[24] Interview with Eloi Pieta, deputy, State Legislature of São Paulo, August 6, 1997.

[25] Human Rights Watch/Americas, 24-25.

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Intimidation of victims and witnesses by police is a serious threat to the success of these prosecutions. A nongovernmental organization in Recife has designed a low-cost witness protection program that involves relocating the witness, sometimes to another state, either temporarily or permanently. The program is now being piloted in at least five other states, and the ministerial working group for public safety has considered mandating its replication in every state.

Social Control

Human Rights Organizations

Human rights organizations in Brazil are highly critical of police ineffectiveness and misconduct, and many are working directly with reform-minded police officials—particularly in São Paulo—to solve both problems.

The Center for the Study of Violence (Núcleo de Estudos da Violência) at the University of São Paulo Nucleo has assembled a database on violence. Staff obtained court proceedings for about 35 out of 70 high-profile crime cases and are analyzing the performance of police, prosecutors, and judges in each case. The Center has held a symposium with police on the importance of the police image in the media and its impact on public opinion. It is currently working with the University of Ottawa to create a forum where progressive young officers from Brazil can meet their counterparts from other countries. The Center also designed a course in "humanitarian rights" for the São Paulo officers academy; Center staff consider the term "human rights" too provocative.

In Rio de Janeiro, the Institute for Research on Religion (Instituto de Estudos da Religião, ISER) runs a project on civil rights and public safety and collaborates occasionally with local, state, and national government partners. In 1990, ISER and its sister organization, Viva Rio, designed and implemented a community policing project in the neighborhood of Copacabana. Spurred by a series of violent crimes in Rio in the early 1990s, Viva Rio mobilized a public campaign to demand better police protection. And in August 1996, ISER and the Getúlio Vargas Institute collaborated on a victimization survey.[26] More recently, ISER released a study which found that 10 percent of all homicides in Rio de Janeiro are caused by police.[27]

Media

After the videotaped incidents of police brutality were aired on national television in 1997, there was speculation that video might be the perfect deterrent for police misconduct. But the reality is that people with cameras are not always on the scene when police abuse civilians.

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[26] Human Rights Watch/Americas, 47.

[27] U.S. Department of State, *Brazil Country Report on Human Rights Practices for 1997*.

The Brazilian media continues to expose police brutality in other ways. In January 1996, São Paulo's largest newspaper, *Folha de São Paulo*, conducted a public opinion survey in which 88 percent of those polled in Rio de Janeiro and São Paulo believed police to be involved in organized crime; 76 percent believed police to be active in death squads; and 65 percent believed that police use torture to obtain confessions.[28]

Potential for Reform

At the federal level, there is strong commitment to make Brazil's police forces more accountable and effective. Proposals are on the table for such changes as demilitarization of the Military Police, unification of the Civil and Military Police, creation of municipal police forces, new external oversight authority, and dozens of other ideas.

At the state level, however, much of that commitment seems to be nonexistent. Rio de Janeiro, for example, might be moving in the opposite direction. In November 1995, the state government introduced a decree providing that police involved in "exceptional acts of bravery" should be rewarded with a pay increase of 50 to 150 percent. Since then, Civil and Military Police commanders have decorated hundreds of officers for their bravery, commending each for the number of civilians killed in the line of duty.[29]

José Gregori, chair of the ministerial working group on public safety, is hopeful that the federal government can overcome resistance from states like Rio: "What's different now is that there is a political will to change the situation, no matter who may be offended in the process."[30]

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[28] Human Rights Watch/Americas, 47.

[29] Amnesty International, "Brazil: The Candelária trial: a small wedge in the fortress of impunity," July 1996, 6.

[30] Michael Christie, "Brazil creates human rights body, new beatings shown," *Reuters North American Wire*, April 7, 1997.

Country Overview: Chile
Focus on Santiago

Chile's largest police force, the Carabineros, has a reputation among Chileans for being clean, honest, disciplined. Some Chileans say it ranks just below the Catholic Church as the most trusted social institution.[1] There is little corruption within the force, and citizens enjoy a high degree of public safety: The country has the lowest per capita crime rate in the Western Hemisphere. If numbers alone were proof of a police force's effectiveness, the Carabineros would rank at the top of any list. But the structure under which this police force operates has a weakness that could ultimately compromise its effectiveness and surely compromises the country's democratic posture: The Carabineros are accountable only to their own organizational hierarchy. The cost of this insularity is an almost total communications gap between the police and the people they are supposed to protect.

From 1973 to 1990, the Carabineros' director was a member of the ruling military junta. In addition to maintaining order and controlling crime, the Carabineros' role under the junta was to suppress politicial opposition. Today, the Carabineros fall under the administrative command of the Defense Ministry, but their mission is strictly crime control. The shift in the Carabineros' basic objective from combating a political enemy to fighting crime has not brought about parallel changes in police strategies or the orientation of police personnel toward their work. As a result, Carabineros are distant from the public, and physical abuse of accused persons is not uncommon. Amnesty International disclosed that more than 20 cases of torture and mistreatment by police were reported in 1996,[2] and a 1996 survey by Diego Portales University found that 71 percent of suspects detained by police suffered some form of mistreatment.[3]

The internal disciplinary system means that officers or troops accused of any criminal offense are tried and sentenced in special military courts. Although some officers claim that the military system is stricter than regular criminal courts, and its punishments more severe,[4] the fact that it is separate and secretive compromises its credibility.

Advocates of police reform in Chile say that demilitarization and decentralization of command are the first steps toward making the Carabineros more democratically accountable. Decision-making authority is concentrated at national headquarters.

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[1] Interview with Guillermo Thompson, Carabineros de Chile, August 14, 1997.
[2] Amnesty International, *Amnesty International Report 1997: Chile*, 1997, http://www.amnesty.org/ailib/aireport/ar97/AMR22.htm.
[3] U.S. Department of State, *Chile Country Report on Human Rights Practices for 1997*, January 30, 1998.
[4] Thompson, interview.

Policies issued from the top down tend to be uniform throughout the country, rather than tailored to locally defined problems and needs.

Yet efforts to strengthen the accountability of the Carabineros do not end with structural reform. The Chilean public has little access to information about the mission, policies, and practices of the Carabineros. Indeed, there is not a strong tradition of public participation in the formation of public security policy. Increasing accountability to the Chilean citizenry would require, at a minimum, education about what people can and should expect from police in a democracy, and the creation of forums where residents can express their expectations to the police.

Improved accountability of the police to other state structures and to civil society is critical to the survival of democracy in Chile. Only a weak state, says one observer, must rely on police and the abuse of police power to maintain order.[5]

Organizational Structure and Strategies

There are two national police forces in Chile. The Carabineros are responsible for crime prevention, patrol, and responding to calls for service. They employ approximately 35,000 personnel for all of Chile, which has a population of about 15 million. The Investigative Police (Policía de Investigaciones) perform all investigative work with a staff of approximately 3,400. Although the two forces share information about individual cases, there is little coordination of their overall crime statistics or operations. Because of the size and functions performed by the Carabineros, which place them in greater contact with civilians, they will be the principal focus of this overview.

Recruits enter the Carabineros at two levels: as officers or as troops. Training lasts two years for officers and one year for troops. Officers at the Carabineros national headquarters emphasize the importance of ethics training and credit it with the absence of corruption among the force.

Indeed, the fact that there is little corruption among the Carabineros suggests that salaries alone do not determine whether or not members of a police force are corrupt. The starting salary for troops is about 85,000 pesos per month, or US $200. Both salary and cost of living are roughly equal to that of the Russian militsiya, a force infamous for its corruption and links to organized crime.

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[5] Carlos Peña, oral presentation, Seminar on the Democratic Control of Internal Security Organs, sponsored by the Centro de Estudios del Desarrollo, Santiago, Chile, August 12, 1997.

Map N: Country Overview: Chile (Focus on Santiago)
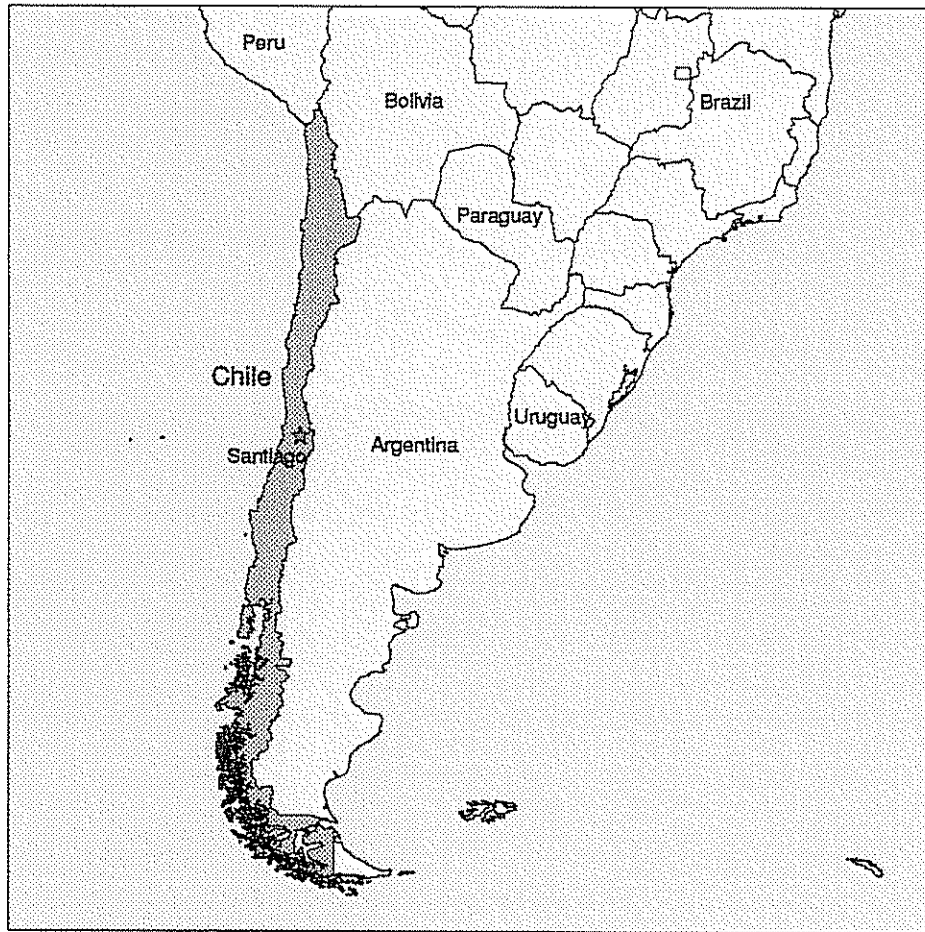
Internal Control

Rules and Culture

What can explain the fact that Chile's Carabineros are generally not corrupt, although their salaries are comparable to that of corrupt departments in other countries? The difference may be due to a strong organizational culture and ethics code dating back to the 1920s, with high expectations set by its leaders, and a disciplinary system that does not tolerate violations. The Carabineros are proud of their clean hands. The public relations department advertises the force's virtues throughout Latin America and the world, attracting police from dozens of countries to Chile to study at the organization's training academies. The same organizational culture, ethics code, and disciplinary system, however, are not as effective in restraining the use of force.

Administrative Procedures

Violations of internal regulations are investigated and punished through an internal disciplinary process. Sanctions for administrative infractions include dismissals and transfers. Information about the frequency and outcomes of administrative procedures is not available to the public.

Actions that constitute a criminal violation of the code of military justice, committed on duty or in the barracks (cuartel) where troops live, are forwarded to a military court. The military and administrative processes are entirely independent. Both may be pursued in a single case and may issue separate penalties. Judges and prosecutors—who conduct the investigations—in these courts are military officials, but the victims may have their own civilian attorneys who bring the charges against a police official. The judge hears evidence, delivers a verdict, and issues a sentence, which may range from a prison term to the death penalty. Once the military court issues a verdict, the case may be appealed to the Martial Court (Corte Marcial), comprised of military inspectors and civil judges, and eventually to the Supreme Court.

The administrative and military justice proceedings are secretive, and the Carabineros do not typically release information about decisions and sentencing, although military court proceedings are available for public review once the trial is complete. The outcomes of serious cases, such as those involving torture or death in custody, typically are reported in the press. Opinions about this system are mixed. Even one human rights organization that is generally critical of the police, the Corporation for the Promotion and Defense of Citizens' Rights (Corporación de Promoción y Defensa de los Derechos del Pueblo, CODEPU), finds that in certain cases, the military courts can be swifter and more effective than civil courts.

State Control

Executive

The director general of the Carabineros is appointed by the president of the Republic from among the five most senior officers in the organization. Directors general serve for four years and are eligible for only one term.[6]

Officially, Carabineros are under the administrative control of the Defense Ministry and under the technical direction of the Interior Ministry.[7] The Ministry may also request courts to conduct independent investigations of complaints against police, but these investigations rarely result in arrests.[8]

Researchers inside the Office of Public Safety inside the Interior Ministry analyze crime data provided by both the Carabineros and the Investigative Police, and this analysis informs the Minister's policy instructions to the Defense Ministry and police forces. Ultimately, however, the Interior Secretary has no power to enforce the recommendations or to control operations.

The current Secretary of the Interior, Carlos Figueroa, argues that the Chilean police should be less autonomous. Their function, he says, is to serve the democracy; they should be responsive to the community and subject to external control. Police reform strategies should focus on professionalization, training, and modernization, he recommends, but also on improving relations between police and the community.[9] Advancing that objective, the Ministry recently organized a series of meetings between police and community leaders that established an open and critical dialogue.

Although the Carabineros are a national police force, some mayors, city council members, and community leaders have close contact with local police officials. This does not make the public feel any more positively toward them.

Legislative

All basic rules and regulations governing the Carabineros, its command structure, personnel, promotions, and budget are contained in Article 94 of the Constitution and may be amended only by four-sevenths approval of both houses of Congress.[10] Thus, the types of structural reform proposed by some critics would require legislative changes. A Constitutional amendment would be necessary, for example, to place Carabineros under the jurisdiction of ordinary courts. Congress could also limit police discretion by

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[6] Augusto Quintana, "Control Democrático de los Organismos de Seguridad Interior en Chile" (Democratic Control of Interior Security Organs in Chile), paper presented to the Seminar on the Democratic Control of Internal Security Organs, sponsored by the Centro de Estudios del Desarrollo, Santiago, Chile, August 12-13, 1997, 10.

[7] Quintana, 14.

[8] U.S. Department of State, *Chile Country Report on Human Rights Practices for 1997.*

[9] Carlos Figueroa, oral presentation, Seminar on the Democratic Control of Internal Security Organs, sponsored by the Centro de Estudios del Desarrollo, Santiago, Chile, August 12, 1997.

[10] Quintana, 10.

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enacting procedural requirements or restraints. For example, a bill now pending would oblige police to read suspects their rights before making an arrest.

Aside from its lawmaking powers, the lower house (Cámara de Diputados) of the Chilean Congress has broad responsibility for approving acts of government and may subpoena the Minister of the Interior, the Director of Carabineros, or any other official to appear before them and explain their policies or actions. Congress's Human Rights Commission and other committees have done this. Recently, for example, there was an inquiry into the torture and death of a civilian in police custody. The lower house may conduct an independent investigation into a specific problem; it has done so with respect to the methods of police intelligence-gathering. In addition, Congress may impeach Carabinero generals.

Judicial

The civilian judiciary has no authority over Carabineros, since they fall under the jurisdiction of military courts. Investigative Police, however, are tried in ordinary courts. Lawyers representing victims of abuse caused by the Investigative Police say there is collusion between police and the courts and that judges try to dissuade them from bringing denunciations against police.[11]

Social Control

The following is an overview of some organizations and institutions working to improve public safety and police accountability in Chile.

The Center for Development Studies (Centro de Estudios del Desarrollo, CED) has a program on citizen safety and internal order that tries to advance public policies aimed at reducing violence and strengthening the rule of law. The program is currently working with parallel organizations in Argentina and Peru to review methods of democratic control over internal security organs. Each organization has hosted a workshop attended by constitutional scholars, political scientists, sociologists, activists, political officials, and police officers to discuss how external oversight of police in those three countries might be strengthened.

Another organization, Justice Training for Action (Formación Jurídica para la Acción, FORJA), takes a community-based approach to public safety. FORJA's goal is to educate citizens about their rights and duties and to increase their participation in government decision-making on all fronts. In order to bridge the gap between communities and government, FORJA has established a training program to help community leaders link people to government services, including the police. Graduates of the program staff offices where average citizens can complain about any service-

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[11] Interview with Julia G. Urquieta Olivares, lawyer, CODEPU, August 14, 1997.

related problem. The community leader—not unlike a traditional government ombudservice—then helps them resolve the problem through the appropriate government agencies.

One of the organizations most critical of the Chilean police is CODEPU. It consists of lawyers, doctors, psychologists, and social workers who assist victims of human rights abuses and their families. Lawyers at CODEPU investigate torture cases and provide pro bono legal counsel to people mistreated or threatened by police.

Citizen Peace (Paz Ciudadana) is dedicated solely to reducing crime in Santiago. The organization has implemented several programs aimed at improving the quality of the information used to control crime. Researchers at Citizen Peace aggregate crime data collected by the Interior Ministry, the Justice Ministry, the Carabineros, and the Investigative Police and compare it with the organization's own victimization surveys. The surveys will be carried out every two years in the same ten high-crime neighborhoods. Citizen Peace is also trying to map crime trends, educate children about crime prevention, and create training courses for police to help them improve their ability to analyze crime data and use them as the basis for policy decisions.

Country Overview: Argentina

Focus on Buenos Aires

In Argentina, police brutality is well documented, widespread police corruption is suspected, and crime is on the rise. The average citizen knows about this situation but is helpless to stop it. Nor does the government, with few exceptions, seem able or willing to act.

Journalists and human rights observers have linked several violent crimes in recent years to the police. These include the bombing of a Jewish community center in 1994 and the murder of a photojournalist who was investigating police corruption in 1997. Corruption goes well beyond taking bribes, claims a report by the Center for Legal and Social Studies (Centro de Estudios Legales y Sociales, CELS) in Buenos Aires. It involves influencing judges and prosecutors, threatening witnesses and journalists, tampering with crime reports, selling stolen goods, dealing drugs, perjury, and extortion.[1]

In fact, say critics, corruption is institutionalized, ingrained in the command structure, and often connected to politicians. Police and government officials at all levels are suspected of complicity, making the code of silence that much harder to crack.

A public opinion survey in August 1996 showed that 37 percent of the population in Argentina fear the police;[2] another poll indicated that 83 percent mistrust them.[3] The recent rise in crime—13 percent in the first half of 1997—only deepens that mistrust.[4] Without reliable crime statistics, the best measure of crime is citizens' personal experiences. At present, researchers say, the public feels increasingly subject to violence and unprotected by the police.[5]

The bombing of the Mutual Association of Argentine Israelites community center and the murder of photographer José Luis Cabezas received widespread publicity and censure. Yet, despite public outrage and calls for action, government has made few arrests and conducted few prosecutions. Only one official has spoken out loudly and clearly: The current governor of Buenos Aires province, Eduardo Duhalde, recently declared war on police corruption and impunity.

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[1] Centro de Estudios Legales y Sociales, *Informe anual sobre la situación de los Derechos Humanos en la Argentina 1996* (Annual report on the human rights situation in Argentina 1996). Buenos Aires: CELS, 87. Translated from Spanish.

[2] CISALP, *Boletín Informativo de CISALP*, no. 4, September 9, 1996.

[3] Centro de Estudios Legales y Sociales, *Informe anual sobre la situación de los Derechos Humanos en la Argentina 1996*, 118.

[4] CISALP, *Boletín Informativo de CISALP*, no. 156, January 30, 1998.

[5] Centro de Estudios Legales y Sociales, *Informe anual sobre la situación de los Derechos Humanos en la Argentina 1996*, 117.

The only other consistent voice for change has been that of the media. Newspaper reporters aggressively investigate alleged corruption networks inside the police forces. But human rights activists believe that, without more responsiveness from government, neither newspaper revelations of scandals nor public outcries will make any difference.

Organizational Structure and Strategies

The 33,000 members of Argentina's Federal Police (Policía Federal) cover the Federal District of Buenos Aires, the capital. In addition, each of the country's 23 provinces has its own police. The province of Buenos Aires, which surrounds the Federal District, consists of 48,000 officers, called the Bonaerense. There is no functional division among the forces; all are responsible for prevention, patrol, and investigation. Although the Federal Police have jurisdiction over the Federal District—which is inside the City of Buenos Aires—they are not under the supervision of any provincial or city official.

Following a series of killings in which the Bonaerense were implicated, Governor Duhalde and his aides drafted a sweeping police reform plan in December 1997. Duhalde dissolved the Bonaerense command and replaced it with civilians, fired 200 senior officers, and divided the force into 18 separate departments. He created a new Investigative Police (Policía de Investigaciones), to conduct special investigations and to assist the Federal Police with narcotics enforcement so that ordinary officers would not be involved in high-security cases.[6] He also appointed a committee of provincial deputies to oversee the transition and designed a new internal administrative procedure for adjudicating police misconduct cases.[7]

Critics downplay the probability that Duhalde's plan will bear fruit. The newspaper, *Noticias*, reports that Duhalde was elected with the support of the Bonaerense because he promised them he would increase their budget and not interfere in their affairs.[8] It is still too soon to measure the effect of Duhalde's changes.

Training

The National Secretary for Human Rights conducts a human rights training program for every rank and corps member of the Federal Police. The program teaches police about rights contained in the Argentine Constitution and international human rights documents.[9] Human rights has been a subject of police training in Argentina since 1984, but there has been no systematic evaluation of its effectiveness.

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[6] CISALP, *Boletín Informativo de CISALP*, no. 160, February 17, 1998.

[7] CISALP, *Boletín Informativo de CISALP*, no. 150, December 20-25, 1997.

[8] Carlos Dutil, "Maldita Policía" (The Cursed Police), *Noticias*, August 10, 1996, 103.

[9] Policía Federal Argentina, *La Instrucción de la Policía Federal Argentina y La Tematica de los Derechos Humanos*, 1996.

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Map O: Country Overview: Argentina (Focus on Buenos Aires)

Crime Control

Police view the increasing crime rate as a justification for harsh treatment of criminals. A senior officer says that "although the majority is not abusive, being tough with criminals is respected on the force; they justify it because they think that criminal sentences are very light."[10] Although people generally fear and mistrust the police, they also fear crime and support hard-line policing. A 1991 newspaper poll revealed that almost half the population approves of police using torture against criminal suspects.[11]

According to civil rights advocates, most instances of police abuse involve arrests for a broad classification of crimes known as edictos. These include prostitution, gambling, hawking, and other minor offenses. Activists say the police are overzealous and abusive in their enforcement of edictos.

Internal Control

Neither the Federal Police nor the Bonaerense have internal affairs units for investigating police misconduct. For violations of departmental rules, superior officers discipline their subordinates in the absence of official administrative proceedings. Police say this system is strict and more powerful than any external mechanism because, inside the department, police do not have to respect constitutional rights and can administer harsher punishment.[12] This kind of abuse has drawn the attention of some human rights advocates, who say that rules governing the disciplinary process are unclear and that superior officers apply sanctions indiscriminately.[13]

When civilians try to report criminal offenses committed by members of the Bonaerense, they often encounter resistance, especially if they wish to remain anonymous. In July 1997, the force created a free hotline for reporting such complaints. Of the first 1,400 calls received, 32 percent were from people complaining that police did not sufficiently protect their neighborhood. Most other calls related to corruption and drug trafficking.[14]

The reluctance of Bonaerense officers to investigate colleagues is best illustrated by the Cabezas case. Immediately after the murder, several low-ranking officers were arrested and charged, but they were not thought to be the originators of the crime. Media reports linked the officers to a large corruption ring inside the department whose leaders allegedly ordered the murder. But 11 months after Cabezas's death, police officials had not begun to investigate the larger ring.[15]

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[10] CISALP, *Boletín Informativo de CISALP*, no. 4, September 9, 1996, 2. Translated from Spanish.

[11] Paul Chevigny, *Edge of the Knife*. (New York: The New Press, 1995), 195.

[12] Interview with Andres Valentin Schmitz, Comisario Mayor, Policía Federal Argentina, August 19, 1997.

[13] Martín Abregú, oral presentation, Seminar on the Democratic Control of Internal Security Bodies, sponsored by the Center for Development Studies, Santiago, Chile, August 11, 1997.

[14] CISALP, *Boletín Informativo de CISALP*, no. 131, September 27,1997.

[15] CISALP, *Boletín Informativo de CISALP*, no. 139, October 29, 1997.

State Control

Executive

National. Federal officials oversee police in the Federal District. The president of the Republic appoints the commander of the Federal Police, who reports to the Secretary for Security. The president, cabinet Ministers, and members of Congress take seriously public safety inside the capital. Any instance of crime hurts their reputations, and they depend on the Federal Police for their own protection. However, as drug trafficking becomes more common among members of the Federal Police, they operate with increasing autonomy from politicians.[16]

Provincial. The level of control exercised by provincial governors over police varies from state to state. Buenos Aires's Governor Duhalde has made police reform the first priority of his term in office and, in all likelihood, the basis of his campaign platform in the 1999 presidential election. The current reforms in Buenos Aires, outlined above, stem from Duhalde's personal commitment to cleaning up corruption. Other state governors seem less willing to tackle such a daunting problem.

City. In May 1997, the government of the City of Buenos Aires created the Center for Citizen Participation and Control (Centro Para la Participación y el Control Ciudadano). Its purpose is to increase citizen participation in policy decisions and budget allocations in all areas of government, including public safety. The Center sponsors public hearings to foster policy debate in public forums and works closely with other community organizations and nongovernmental organizations. It has cosponsored seminars on public safety with CELS and local police precincts (comisarios).

The City of Buenos Aires has also begun organizing neighborhood safety committees. Each community will elect residents to a committee that will meet from time to time with police officers from the local precinct. The project is now underway in one neighborhood, and there are plans to replicate it throughout the capital by the end of 1998.

Legislative

In Buenos Aires and in 11 other cities, city councils elect an ombudsman (Defensor del Pueblo), who receives public complaints related to all city services, including policing. In Buenos Aires, the ombudsman can investigate complaints against the Bonaerense, but not the Federal Police since they are under the exclusive control of the federal

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[16] Centro de Estudios Legales y Sociales, *Las Fuerzas Policiales y el Poder Judicial Frente al Asesinato de José Luis Cabezas* (Police Forces and Judicial Power in View of the Assassination of José Luis Cabezas). Buenos Aires: CELS, March 1997.

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government. Once elected, the ombudsman is supposed to be functionally and financially autonomous, and to receive no instruction from any other authority.[17]

The ombudsman, however, is not popular with other government officials—his job is to expose their failures—and they do little to help him. The current ombudsman, Antonio Cartañá, says the city council gives him an impossibly low budget and is uncooperative when he tries to resolve citizens' complaints. Moreover, in cases involving the police, he has no subpoena power and no recourse against perjury. The ombudsman can investigate the complaints and refer them to the local commander for further action; but, Cartañá says, the local commanders rarely address them. Most disturbing to Cartañá is the fact that he does not receive complaints from the poorest, most vulnerable groups or from victims themselves.

The ombudsman occasionally releases press statements about specific cases. While one might expect that these reports would embarrass public officials and even spur them to action, Cartañá says media coverage of the ombudsman's office often is inconsistent and inaccurate.

Judicial

Police in Argentina—both federal and provincial—are tried in ordinary criminal courts. But such trials rarely occur: Prosecutions are brought in only one percent of all complaints against police.[18] The tight relationship between judges and police is partly to blame. Police lobbies can nominate judges, and judges decide whether or not to initiate an investigation into complaints against police.[19] Prosecutors have little discretion. There are no investigators independent of the police, and the decision to press charges rests with the judge alone.

Of 1,056 cases filed between 1994 and 1997 against police for abuse of authority— physical or verbal abuse of suspects, detainees, and other civilians—there were no convictions, three acquittals, and only four cases that reached the second phase of trial (hearing).[20] The remaining cases are still under investigation.

In any criminal prosecution, victims or their families may appoint private lawyers to assist public prosecutors. Human rights lawyers in Buenos Aires offer this service pro bono to victims of police brutality. The assistants' participation is limited, but

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[17] Mario Fernando Ganora, *Counsel for the People of the City of Buenos Aires,* [no date].

[18] Abregú, oral presentation.

[19] CISALP, *Boletín Informativo de CISALP,* no. 4, September 9, 1996.

[20] There are three phases of a criminal trial in Argentina: 1) a judge (juez de instrucción) conducts a preliminary investigation to substantiate the charges; 2) the judge declares a verdict and issues a sentence at a hearing (tribunal oral); and 3) a panel of three judges (camara de causación) reviews the judge's interpretation of the law.

sometimes, says one human rights lawyer, the outcome of the case depends on their persistence.[21]

Victims of police abuse may sue a police force for damages though it is uncommon. The suit is brought against the force itself for "objective responsibility," not against individual officers. Typically, these cases are delayed until the parallel criminal case is resolved. One explanation for why these cases are infrequent is cultural. An American legal scholar observes that Argentines are averse to accepting payment from the very government institution that inflicted harm.[22] This may be changing, however: In September 1997, a judge awarded US $50 million to the victim of a police shooting.[23]

Social Control

Citizens have not forgotten the abuses committed by police under the dictatorship, and their mistrust still runs deep. As one organization reports, "It is very difficult to construct democratic relations in a society that *knows* that agents of the state do not defend the interests of the public, or have participated in illegal repression."[24] Only in recent years have a few NGOs and community groups begun to work directly with police, on both human rights and safety issues. Some of them, like CELS, are trying to overcome the lack of information available to the public about crime, security, and policing that would enable greater public participation in and control over their safety. The following is an overview of a few of these groups.

Interest Groups
In Argentina, as in other countries, most victims of police brutality are youths. The Coordinator against Police and Institutional Repression (Coordinadora contra la Represión Policial e Institucional, CORREPI) is a group of volunteer lawyers who represent victims of police violence. CORREPI has built a network of about 600 high school and college students who help educate their peers about police violence and encourage victims to pursue legal action. CORREPI also publishes a monthly newspaper, *Antirrepresivo*, that informs members about recent cases.

Human Rights Organizations
The Center for Legal and Social Studies has begun documenting and denouncing human rights abuses committed under the dictatorship. Since 1986, CELS has kept the only available count of deaths caused by police, based on newspaper reports. More

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[21] Interview with Daniel Straga, Coordinator against Police and Institutional Repression (Coordinadora contra la Represión Policial e Institucional, CORREPI), August 19, 1997.
[22] Chevigny, 196.
[23] CISALP, *Boletín Informativo de CISALP*, no. 131, September 27, 1997.
[24] Centro de Estudios Legales y Sociales, *Informe anual sobre la situación de los Derechos Humanos en la Argentina 1996*, 120.

recently, CELS has collaborated with the Center for Citizen Participation and Control of the Government of the City of Buenos Aires and the police to produce a public safety map based on a public opinion survey that asked residents about their safety priorities.

Public Policy and Security Groups

Throughout Argentina, many communities have formed safety councils (Consejos de Seguridad), which meet with local police from time to time. The ombudsman for the City of Buenos Aires cautions that the councils' influence over policing is minimal, however, since the meetings are typically dominated by police. They are little more than a stamp of approval on police activities, he says.[25]

Media

Legal scholar Paul Chevigny, an observer of Latin American justice systems, writes, "The history of police brutality in Argentina is well documented, a tribute to the tradition of critical journalism in the country."[26] Indeed, one human rights advocate says the media has become the "most effective control over the police in Argentina."[27] Reporters from several newspapers have investigated and exposed criminal gangs inside the Bonaerense, sometimes with help from inside informants. Drawing on their investigative articles for *Noticias,* two reporters, Carlos Dutil and Ricardo Ragendorfer, published a book in 1997 on the Bonaerense and its "criminal history." Dutil and Ragendorfer uncover extensive, highly organized corruption nests, whose existence they attribute to low pay and the manipulation of police by political masters. "Behind every corrupt policeman," they say, "there is always a politician."[28]

Dutil and Ragendorfer were colleagues of José Luis Cabezas, the photographer whose murder has provoked an ardent public campaign against police violence and impunity. They and other journalists say that they regularly receive threats, presumably from the subjects of their investigations. Threats to journalists are so routine that the Argentine press union has set up a threats registry to help protect reporters.

An optimist might predict that the Cabezas case will be a catalyst for lasting police reform in Argentina. More than a year after the killing, the media has not allowed the spotlight on the case to dim. Political will to find and punish those responsible seems to be growing. After dragging its feet for months, the City Council recently confirmed the head of a special commission to perform its own investigation of the incident. When asked what was significant about Cabezas's death, the confirmed councilman

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[25] Interview with Antonio Cartañá, ombudsman for the City of Buenos Aires, August 19, 1997.

[26] Chevigny, 185.

[27] Abregú, oral presentation.

[28] Carlos Dutil and Ricardo Ragendorfer, *La Bonaerense: Historia Criminal de la Policía de la Provincia de Buenos Aires* (The Bonaerense: Criminal History of the Police of the Province of Buenos Aires). Planeta: 1997, 10. Translated from Spanish.

responded: "It was the shot that set off police reform." [29] A pessimist, on the other hand, might view the Cabezas case as just another scandal that will eventually fade from view and, like most others, not result in durable police reform.

[29] CISALP, *Boletín Informativo de CISALP,* no. 156, January 30, 1998. Translated from Spanish.

Country Overview: India
Focus on New Delhi

Safety concerns of the police in India do not match those of the public. The top priority for state police and national paramilitary forces is to prevent bombings and other terrorist attacks that occur regularly in major cities.[1] Police blame the attacks on the spread of violent secessionist movements in the northeast. In 1997, these conflicts caused the deaths of 918 civilians, 189 members of security forces, and 1,114 militants in the states of Jammu and Kashmir alone.[2] With police attention focused on these problems, individuals and families victimized by crimes such as burglary, theft, domestic violence, and rape are largely ignored.[3] In addition, the focus on national security threats provokes aggressive and sometimes abusive use of police authority: arbitrary arrests, prolonged detention, and brutal interrogations.[4]

Human rights activist Ravi Nair views the police as a tool of state policy, one that is becoming more powerful as other state institutions weaken. "The police are worried about national security; people are worried about food security," he says.[5] Nair, along with a range of other professionals engaged in this issue, believes that the mismatch between police and public safety priorities is a legacy of British colonialism. The Indian Police Act of 1861 established a police force of Indian constables, led by British officers, charged with protecting the interests of the Crown.[6] The Act has not changed since its inception, and the police are still oriented toward protecting and serving their political masters, not the public.[7]

Indian police are rarely punished for neglect or brutality. The National Human Rights Commission can investigate human rights violations and recommend policy changes, punishment, and compensation, but many cases of abuse go unreported and ultimately, the commission cannot enforce its recommendations. Between April and November of 1997, the NHRC received more than 30,000 complaints, but only 22

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[1] Interview with R.D. Tyagi, director general, National Security Guard, October 28, 1997; interview with Rajendra Bakshi, inspector, Lajpat Nagar police station, October 30, 1997; "PM orders review of Delhi security," *The Hindu*, October 29, 1997, 1.

[2] U.S. Department of State, *India Country Report on Human Rights Practices for 1997*, January 30, 1998.

[3] U.S. Department of State, *India Country Report on Human Rights Practices for 1997*.

[4] Interview with Ravi Nair, executive director, South Asia Human Rights Documentation Centre, October 30, 1997; interview with Sanjay Bhatia, assistant commissioner, South District, New Delhi Police, October 30, 1997; U.S. Department of State, *India Country Report on Human Rights Practices for 1997*.

[5] Ravi Nair, oral presentation to National Foundation for India, October 29, 1997.

[6] Nair, inteview.

[7] Interview with K. S. Subramanian, former IPS officer, October 31, 1997.

police were criminally prosecuted and 79 suspended.[8] Given these odds, abusive police are virtually guaranteed impunity.

Organizational Structure and Strategies

State Police

Each of India's 25 states has a police force. However, funding for state police comes from the federal government, and so does much of the leadership. Members of the Indian Police Service (IPS), an elite corps of officers recruited and trained at the national level, supervise the constables and officers who are recruited and trained locally. The director general of police in each state, who reports directly to the state's Home Minister, is also an IPS officer.

Unlike most local officers, the IPS officers are highly educated; all have advanced degrees, usually in the humanities, social sciences, or law. Many of them aspire to reform corrupt policies and practices, to make the force service-oriented, and to curb human rights violations. Upon graduation from the IPS academy in Hyderabad, officers are placed in supervisory positions, sometimes over constables with decades of experience, which creates tension. And on the job, IPS officers usually confront a staff hostile to their reforms and a bureaucracy too inflexible to adapt to their vision.[9]

National Paramilitary Forces

Facing riots, natural disasters, terrorist threats, or other emergencies, state police can receive backup from a range of national paramilitary forces, including the Civil Defense, the Home Guards, the Central Industrial Police Force, and the Central Reserve Security Force. Some, like the Home Guards and Central Reserve, maintain a permanent presence in the states and are supported by state funds. The Home Guards is a volunteer force. Its civilian members receive six months of training in crime control, firearms, and law.[10] The Central Reserve Police Force is specially trained to control rebellion, rioting, and terrorism.

Crime Reporting and Statistics

Members of the public can report crime to the police in person or in writing. Until recently, there was a fee for registering a complaint. After the fee was eliminated, reporting increased by 20 percent.[11] Sanjay Bhatia, assistant commissioner in New Delhi, acknowledges past wrongs by duty officers who often refused to take incident
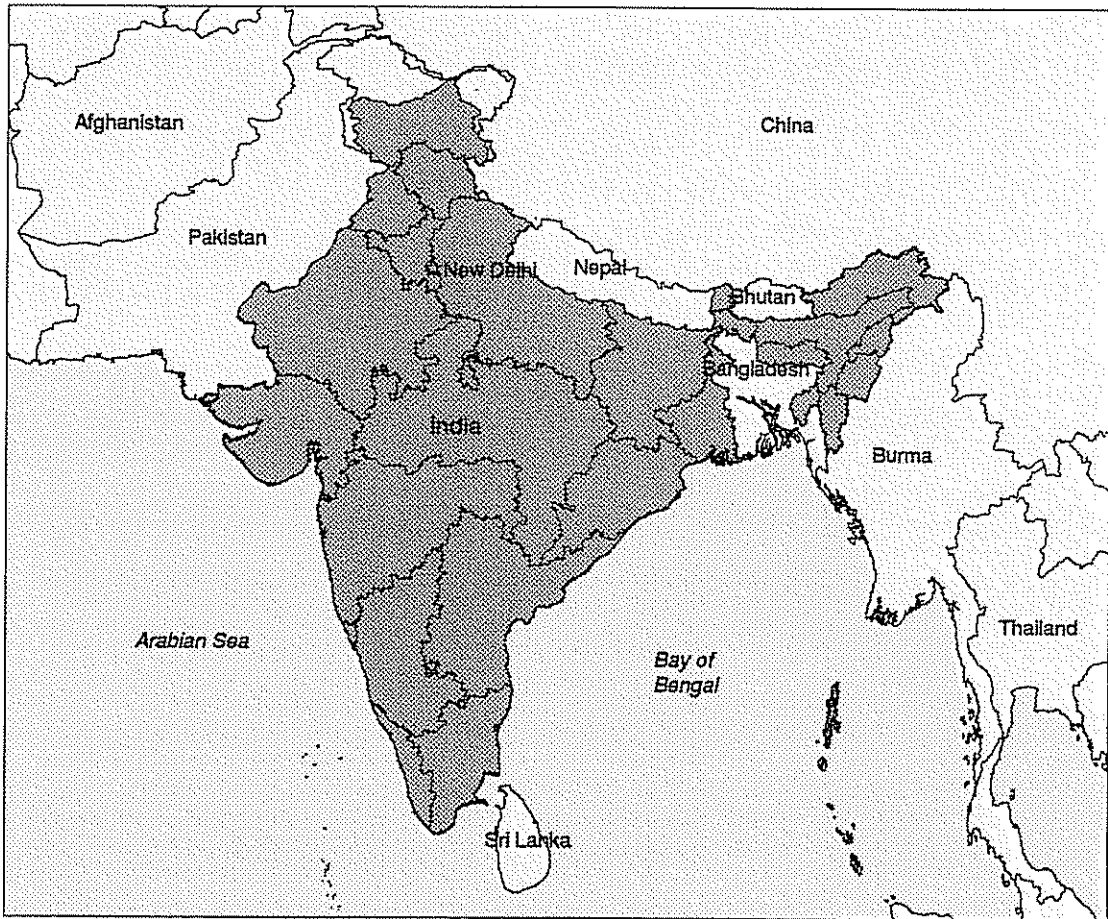
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[8] U.S. Department of State, *India Country Report on Human Rights Practices for 1997.*

[9] Subramanian, interview.

[10] Interview with M.K. Shukla, director general, Civil Defense, October 28, 1997.

[11] Interview with G.S. Pandher, director general, Bureau of Police Research and Development, New Delhi, October 28, 1997.

Map P: Country Overview: India (Focus on New Delhi)

reports and would even harass, intimidate, or detain individuals who report crimes, but he believes that responsiveness is improving.[12] Other reports indicate that police continue to ignore complaints;[13] and complaints can be made anonymously, but police often do not investigate them.[14] These reports suggest that official counts of crime, which are tabulated monthly, may grossly underestimate crime rates in India, especially in the level of crimes other than terrorism.

Tactics

Without comprehensive and reliable crime data, police leaders base their decisions about strategies and tactics on the magnitude and sensational nature of crime (i.e., bombings). In New Delhi, a city with a population of nearly 22 million, attendance at religious ceremonies or football games can reach half a million people. The fear of politically motivated violence at such large gatherings provokes the use of special weapons—such as night vision devices, rubber bullets, water cannons, and teargas grenades—and justifies the injuries they occasionally cause.

Research and Policy

To improve the quality of police work and investigations, the national Ministry of Home Affairs established the Bureau of Police Research and Development in 1970. Staffed by senior police officers, social scientists, forensic specialists, and criminologists, the Bureau studies policing problems, promotes the use of science in police work, reviews and designs training programs, advises the Home Ministry on police policy, and promotes the development of forensic science. Areas of research include crime, crime prevention, investigation, and police organization.[15] The bureau submits its reports directly to the Home Ministry. None of its research, except for articles published in the Bureau's three policing journals, is available to the public or to elected officials; as a result, it has little impact on public awareness or legislative policy.

Police and the Criminal Justice System

A senior IPS officer who once led the antisubversive operation in Punjab says that police under his command shoot criminals when it is necessary, but they do not touch innocent men. Indeed, suspected criminals are routinely killed in confrontations with police: In 1995, police killed 525 civilians in such confrontations.[16] This officer feels that because of failures in the criminal justice system—especially the easy intimidation and corruption of judges—criminals rarely get their "just deserts." He believes that the

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[12] Bhatia, interview.

[13] U.S. Department of State, *India Country Report on Human Rights Practices for 1997.*

[14] Interview with Adjay Chadha, Deputy Commissioner for Vigilance, New Delhi Police, October 27, 1997.

[15] Ministry of Home Affairs, "Bureau of Police Research and Development," identity brochure, undated.

[16] U.S. Department of State, *India Country Report on Human Rights Practices for 1997.*

police should treat suspects harshly, because it does not matter "whether they are punished here or there." Like this man, other officers blame the problem of crime on the poor quality of the Indian criminal justice system. In other words, if criminals are not convicted and sentenced, it seems futile to become more efficient, effective, and skilled.[17]

Internal Control

Misconduct investigations are usually conducted by agencies other than the police forces. However, when a police official is charged with a criminal offense, the department also holds a hearing. Even if the case is dismissed in criminal court, the allegations can be proved internally. Officers found responsible for abuse or corruption face suspension, transfer, or dismissal. Many police officers claim that the internal process is stricter, faster, and more effective than a criminal court proceeding.[18]

State Control

Home Ministry

The Union Ministry for Home Affairs oversees the paramilitary forces, intelligence agencies, and state police service, and provides training for senior police officers. The Home Ministries of every state contain "vigilance cells" that investigate government corruption. These departments can initiate their own investigations based on news reports or civilian complaints. Most vigilance cell investigators are police officers, but the police view them as outsiders.

The Central Bureau of Investigation (CBI)

The CBI is a national agency, separate from the police, with a special unit for investigating charges of corruption against public officials. The CBI has offices in every state and investigates charges of police corruption regularly, but not charges of brutality. The agency can conduct its investigations in secret and often uses information from inside informants. The CBI encourages government employees who witness corruption to report it to a dedicated hotline. There is a general perception among police that CBI investigations are independent and rigorous.[19]

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[17] Interview with R. K. Sharma, director general, Central Industrial Security Force, October 29, 1997.

[18] Interview with V.N. Singh, officiating commissioner, New Delhi Police, October 27, 1997.

[19] Interviews with National Human Rights Commission investigators and other police officials, October 29, 1997.

National Human Rights Commission[20]

The most comprehensive oversight body for police misconduct in India is the National Human Rights Commission, which has offices in seven states. Established in 1993, the commission investigates allegations of police abuse and makes recommendations to police officials and criminal prosecutors. The Commission may investigate abuses allegedly committed by state police forces, but not charges against national security forces.[21]

Between April and November of 1997, the commission received 30,000 complaints. Of the 15,086 complaints that the commission considered, it dismissed 7,474, forwarded 2,991 to other government agencies, and inquired into 4,050 complaints.[22] The commission requires district magistrates and police superintendents to notify the NHRC of all deaths caused by police, which totaled 201 in 1996.[23] Human Rights Watch/Asia advises that many cases of abuse which do not result in death are not reported because the victim is intimidated by police or unaware of the complaints process.[24]

Once a complaint is registered, NHRC investigators can subpoena testimony. These statements, however, are not admissible in criminal or civil proceedings. Based on the investigations, the NHRC recommends disciplinary action by the department, criminal prosecution, or monetary compensation. Although its recommendations are not binding, a senior NHRC investigator reports that the police have acted upon nearly all of the Commission's recommendations.[25]

The NHRC also encourages wider respect for human rights by cooperating with nongovernmental human rights organizations, supporting human rights education in schools, and by preparing a human rights training curriculum for police.[26]

Political Officials

There is little political will to change the brutal or corrupt behavior of police. Members of Parliament complain to the media about poor police performance, but inside Parliament, there is no thoughtful policy review or debate of these issues.[27] There is no parliamentary committee or ombudservice for overseeing police.

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[20] For a full discussion of the National Human Rights Commission, see Thomas E. Perez, "External Governmental Mechanisms of Police Accountability: Three Investigative Structures," working paper for the project on Police in Democratic Societies: Advancing Accountability and Public Safety, Vera Institute of Justice, March 1998.

[21] U.S. Department of State, *India Country Report on Human Rights Practices for 1997.*

[22] U.S. Department of State, *India Country Report on Human Rights Practices for 1997.*

[23] U.S. Department of State, *India Country Report on Human Rights Practices for 1997.*

[24] Human Rights Watch/Asia, *Police Abuse and Killings of Street Children in India,* November 1996, pp. 76-77.

[25] Interview with Sankar Sen, director general (Investigation), National Human Rights Commission, October 27, 1997.

[26] U.S. Department of State, *India Country Report on Human Rights Practices for 1997.*

[27] Nair, oral presentation.

This was not always true. For a brief time in 1979, there were constructive efforts to reform the police. That year, the Janata Government appointed a National Police Commission to review the state of policing in India. The Commission submitted an eight-volume report, recommending sweeping changes to all facets of policing, from specific operations to the basic mission.[28] After reviewing 76,444 complaints against police, the commission concluded that Indian police operate in a climate of impunity. The Commission made specific recommendations to strengthen police accountability, including "complaint cells" at the district, multidistrict, and state levels, as well as a central authority to monitor the complaint process. Parliament never acted on these recommendations, despite continuous pressure to do so from the National Human Rights Commission, nongovernmental organizations, and retired police officers.[29] Recently, a member of Parliament recommended establishing a "Law and Order Advisory Committee," a panel of MPs chaired by the Home Minister, to oversee the Delhi police until the current threats to public safety are at bay.[30]

Judicial

The U.S. State Department reports that only 22 criminal prosecutions against police succeeded in fiscal year 1997. The obstacles to successful prosecution are substantial. Prosecutors for police abuse cases rely on police for investigating other criminal cases. Although the Central Bureau of Investigation has a separate staff of prosecutors for its cases against police, the Bureau only takes up cases of police corruption, not brutality. Perhaps the largest obstacle is that permission of the Home Ministry is required in order to file a criminal suit against any public official.

Civil courts sometimes award compensation to the families of victims killed by police. The People's Union for Democratic Rights (PUDR) claims that approximately five of the 90 families it has assisted since 1992 received compensation. According to the PUDR, these families won after years of litigation only because they were able to afford the legal fees.[31]

Social Control

Public-Police Relations

Both the public and the police are frustrated by a mutual lack of trust. The police do not get the information and cooperation they need from the public; and the public does not feel protected and served by the police. In New Delhi, there is no formal channel for

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[28] Subramanian, K.S., "Police Organization in India: A historical and contemporary assessment," *Indian Defence Review*, Vol. 10, No. 1, Jan-March, 1995, 35.

[29] Human Rights Watch/Asia, *Police Abuse and Killings of Street Children in India*, 81-82.

[30] "PM orders review of Delhi security."

[31] Interview with organizers of the People's Union for Democratic Rights, November 1, 1997.

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police consultation with the public, except for scattered, ad hoc attempts to organize neighborhood safety committees. According to sources inside and outside the force, police generally do not regard themselves as public servants.[32] Some officers believe that it is impractical to seek input from the public, and that people should take more initiative for resolving their own problems and conflicts, rather than relying on police. When asked how they could best improve their performance, police officials in Delhi uniformly point to measures that would improve their ability to counter terrorism, like bulletproof cars.

Most police officers fail to see the rationale for public participation in safety matters. There are few efforts to bridge this gap. Some neighborhoods have local watch associations, organized by police, but participation is low. In some areas, including the city of Madras, police have gained limited public support by creating auxiliary volunteer forces.[33]

The lack of citizen involvement in public safety is due not only to lack of confidence, but also to lack of information about crime and police activities. Most citizens do not understand the basic roles and functions of the police. According to Nair, before people can become partners with the police in their own protection, they must know what they can and should expect from police.[34]

According to a senior police official, police in India today do not respond to the needs of communities; instead, they divide the community between criminals and victims. Faced with competition among ethnic, religious, and immigrant groups for control of political power and material resources, police need to improve their ability to mediate conflict, not repress it. Police in Bombay have addressed this problem by creating a "social security cell," which investigates and tries to resolve conflicts between tenants and landlords, domestic quarrels, and dowry disputes. According to this official, police officers working in this cell successfully mediate and resolve nearly all disputes without making an arrest.[35]

Human Rights Organizations and Interest Groups

Several human rights organizations in India play an important role in documenting and exposing police brutality and killings, even though many activists face regular threats and intimidation for this work.

Recently, the South Asian Human Rights Documentation Centre began working with police to explore the cause of police misconduct and abuse. The Centre is convening roundtable discussions with a small group of forward-thinking police officials to review these problems and think through potential solutions.

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[32] Shukla, interview; Bakshi, interview.
[33] National Human Rights Commission investigators and other police officials, interviews.
[34] Nair, oral presentation.
[35] Shukla, interview.

The People's Union for Democratic Rights, a civil rights organization composed of volunteer lawyers and activists, provides legal advice to victims of police abuse and their families. PUDR also publishes small booklets documenting police abuse cases and sends them to government officials. Occasionally, the group holds demonstrations to raise public awareness.

Women's rights organizations in India have significantly changed the way police respond to female crime victims. Some state police forces have made efforts to address crimes that affect women, including the creation of special women's precincts.[36] Recently, the Delhi police created a special helpline staffed by female police operators and dedicated to calls related to domestic disputes, rape, and child abuse. Police who respond to the calls (men and women) refer the victims to shelters and other service agencies.[37] Despite these efforts, according to the U.S. State Department, violent crime against women is still very high: 100,846 incidents in 1995.[38]

Media

With over 15 English-language dailies and dozens of other papers in New Delhi alone, the press is a powerful social institution for exposing and denouncing police neglect and brutality. A recent editorial in *The Statesman* declares, "People's confidence in law and order is at an all-time low."[39] An editorial published in the *Hindustan Times* recommends specific improvements: "What the Capital actually needs is a more efficient and responsive police force. This could come about by better training and motivation beginning from the base levels, and introduction of more effective management practices in deployment and personnel policies."[40] Unfortunately, coverage of crime by these and other papers tends to be sensationalistic, with few details and facts. The media could be more effective at holding police accountable by analyzing crime and police responses to crime more carefully and systematically.

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[36] Interview with David Bayley, director, Criminal Justice Program, State University of New York at Albany, November 3, 1997.

[37] National Commission for Women, *Rashtra Mahila*, Vol. I, No. 8, July 1997, 4.

[38] U.S. Department of State, *India Country Report on Human Rights Practices for 1997*.

[39] Vinay Jha, "People's confidence in law & order at an all-time low," *The Statesman*, October 31, 1997, 2.

[40] "Policing problems," *Hindustan Times*, October 30, 1997, 2.

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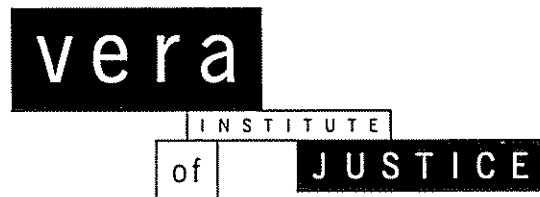
Directory of Actors

Directory of Actors
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External, Governmental Investigative Structures

Argentina

Ombudsman for the City of Buenos Aires
(La Oficina del Defensor del Pueblo)
Antonio Cartañá, Ombudsman
Avda. Belgrano 1876, 3 piso
1094 Buenos Aires
Tel: 383 3668/3657/8041
Since 1985, the office of the Ombudsman has received complaints from citizens of Buenos Aires related to poor service, misconduct, or abuse by government agencies and officials. The Ombudsman's objective is to defend, protect, and promote human rights. He is appointed by the city council.

India

National Human Rights Commission
Sankar Sen, Director General of Investigation
Sardar Patel Bhawan, Sansad Marg
New Delhi 110001
Tel: 91 11 334 8475
Fax: 91 11 334 0016
nhrc_del@x400.nicgw.nic.in
The NHRC was created in 1993 to investigate allegations of human rights violations by government officials. The Commission has the authority to intervene in court cases (with the approval of the court); visit prisons; review human rights laws; identify factors inhibiting the enjoyment of human rights; make recommendations to encourage the implementation of human rights declarations; research and promote human rights; and assist non-governmental organizations working on human rights issues. The Commission may subpoena witnesses and conduct searches and seizures of documents. In relation to police misconduct, the Commission has successfully pressed for compensation for the families of individuals killed while in police custody.

It has also made recommendations for the prosecution of officers as well as changes in police practices.

Kenya

Kenya Human Rights Commission
Maina Kiai, Director
FLCAK House
Mchumbi Road, South B
P.O. Box 55253
Nairobi
Tel: 254 2 531 929/543 769
Fax: 254 2 543 635

Poland

Commissioner for Civil Rights Protection
(Ombudsman)
Adam Zielinski, Commissioner
Biuro Rzecznika, Praw Obywatelskich
Al. Solidarnosci 77
00-090 Warsaw
Tel: 48 22 828 91 89
The Commission was established in January 1988 to protect the human rights of Polish citizens. The Commissioner investigates complaints from citizens against any government service or official to determine whether a breach of civil rights has occurred and takes appropriate action to resolve the issues. The Commission has a special unit for investigating complaints against police, which comprise a small portion of the Commission's work.

South Africa

Directorate Independent Complaints
Neville Melville, Executive Director
Thutong Building, 7th Floor
Volkstem Avenue
Pretoria 0001
Tel: 27 12 325 4242
Fax: 27 12 325 4246
The ICD was established in 1995 under the South African Police Service Act to provide civilian control of investigations into claims of police misconduct. It is

charged with the responsibility of investigating any death in police custody or resulting from police action, and may investigate other deaths on the referral of the security forces or the Minister for Safety and Security. The ICD may refer such cases to the Attorney General for prosecution or to the police service for disciplinary action.

Uganda

The Uganda Human Rights Commission
Constantine K. Karusoke, Commissioner
Plot 22/24 Bagunda Road
PO Box 4929
Kampala
Tel: 256 41 348 006, 348 008, 230 805
Fax: 256 41 255 261
The Uganda Human Rights Commission receives accusations from citizens against police for violations of human rights, investigates them, and recommends disciplinary action or prosecution. Commissioners may inspect police facilities at any time. The Commission also educates social groups and the general public on human rights, investigates human rights abuses, and provides referrals to people whose rights have been violated. The Commission offers human rights training to elementary school students as well as government workers, lawyers, journalists and the police.

United Kingdom

Home Affairs Select Committee on Police Disciplinary and Complaints Procedure
Crispin Poyser, Clerk
Committee Office
House of Commons
London SW1A 0AA
The Select Committee was set up by the British Government in response to concerns over the ineffectiveness of and lack of confidence in the system of police discipline and civilian complaint. Its mandate is to discuss revision of the civilian complaint system, including the

independent Police Complaints authority, as well as the system for disciplining of officers for misconduct. The committee is expected to make its report in the first half of 1998.

United States

Los Angeles County Sheriff's Department
Merrick Bobb, Ombudsman,
Special Counsel, Los Angeles Police Department
555 West Fifth Street, 35th Floor
Los Angeles, CA 90013-1024
Tel: 213 689 4440
Fax: 213 892 5454
The Special Counsel publishes a semiannual report for the Los Angeles Police Department that focuses on aspects of policing in Los Angeles from patrol to custody.

Office of the Inspector General
Katherine Mader, Inspector General
Board of Commissioners
Los Angeles Police Department
Parker Center, Room 149
150 North Los Angeles Street
Los Angeles, CA 90012
Tel: 213 847 2558
Fax: 213 473 3945
The Office of the Inspector General of the Los Angeles Police Department was created in July 1996 to oversee and investigate the department's handling of complaints of misconduct by police officers and civilian employees. The Inspector General may make recommendations for disciplinary action or changes in the department's policies and practice.

Human Rights and Civil Rights Organizations and Police Watch Groups

Argentina

Center for Legal and Social Studies (CELS)
Martín Abregú, Director
Silvia Tiscornia, Researcher
Rodriguez Peña 286, 10 Piso
1020 Buenos AireS
Tel: 54 1 371 9968
Fax: 54 1 371 3790
postmaster@cels.org.ar
During Argentina's military dictatorship, CELS began documenting and denouncing human rights abuses committed by the regime. Today, CELS continues to advocate for greater respect for a broad range of human rights. Its main areas of focus are: ending impunity for military and police officials responsible for abuses committed under the previous regime; reducing institutional violence and enhancing public safety; alleviating prison conditions; promoting social rights and access to justice; immigrants' rights; and freedom of expression and access to information.

Canada

Human Rights Research & Education Centre (HRREC)
University of Ottawa
57 Louis Pasteur St.
Ottawa, ONT   K1N 6N5
Tel: 613 562 5775
Fax: 613 562 5125
The Centre studies human rights policies, abuse and advocacy strategies, and provides human rights information to the private sector, governments, NGOs, and universities. It publishes the HRREC bulletin on human rights and a series of publications dealing with specific human rights issues. HRREC also sponsors conferences, seminars and workshops devoted to human rights education and advocacy. In addition, HRREC runs a

program in Brazil aimed at promoting police accountability by strengthening civilian oversight of the police and promoting improved relationships between police and the community.

Chile

Committee for the Defense of People's Rights (CODEPU)
(Comité de Defensa de los Derechos del Pueblo)
Fabiola Letelier, President
Brown Sur 150
Nuñoa, Santiago
Tel: 56 2 341 5040
Fax: 56 2 341 5041
info@codepu.mic.cl
CODEPU has several programs that promote greater respect for human rights in Chile: protection of victims and denunciation of abuse; human rights advocacy and education; and research and publication on related subjects. A staff of lawyers and mental health experts provides direct services to victims of human rights abuse.

Costa Rica

Inter-American Institute for Human Rights (IIDH) (Instituto Interamericano de Derechos Humanos)
Apartado 100081
Calle Yosef, 5a entrada
100 Metro Sur
San Jose
Tel: 506 234 0404
Fax: 506 234 0955
www.iidh.ed.cr
The IIDH's Department for Military Forces and Police has trained police in Bolivia, Ecuador, and other Latin American countries, with permanent training programs in Guatemala and Nicaragua. The course curriculum of these trainings focuses on modernization of police and improvement of police respect for human rights.

Haiti

National Coalition for Haitian Rights (NCHR)
Jocelyn McCalla, Director
10 Rue Fougère, Delmas 71
Tel: 509 46 2540
Fax: 509 46 4146
jnhaiti@aol.com
The National Coalition for Haitian Rights promotes the development of civil society and democratic institutions in Haiti. From its offices in both Port-au-Prince and New York, it tracks the progress of the police training efforts by the International Criminal Investigation and Training Technical Assistance Program (ICITAP). In conjunction with Human Rights Watch and the Washington Office on Latin America, NCHR published the 1997 report on the Human Rights Record of the Haitian National Police.

Hungary

European Roma Rights Center
Dimitrina Petrova, Executive Director
Nador ut. 11, fl. 4
1051 Budapest
Tel: 361 327 3118
Fax: 361 327 3103
dpetrova@osi.hu
100263.1131@compuserve.com
The ERRC defends the rights of the Romani community through a Legal Defense Program, human rights advocacy, and educational programs. ERRC conducts comparative analyses of various legal systems in order to identify problems stemming from particular laws, as well as civil and criminal procedures, and conducts educational training programs for law enforcement officials as well as judges and law students.

Hungarian Civil Liberties Union
Judit Fridli, Director
Jégverem utca 8/III/12
Budapest 1011
Hungary

Tel/Fax: 361 201 7375 / 214 7102
hclu@mail.c3.hu
The HCLU promotes respect for the fundamental rights and principles contained in the Hungarian constitution and international agreements. The HCLU aims to strengthen the public's right to information and to personal data protection. The HCLU focuses its activities on the rights of psychiatric patients, people with HIV/AIDS, drug users, and victims of police abuse by providing them with free legal advice and representation. The HCLU also conducts research on legal regulations, legal practice and the legal situation of the target groups, submitting proposals to make and amend laws.

Hungarian Helsinki Committee
Ferenc Koszeg, Executive Director
1085 Budapest
József krt. l/5
Tel: 361 334 4575
Fax: 361 314 0885
helsinki@elender.hu
The Hungarian Helsinki Committee is a partner with the Center for Constitutional and Legislative Police in the Police in Transition project, along with human rights organizations in Poland, the Czech Republic, Slovakia, Romania, Bulgaria and Croatia. The goal of the project is to compare each country's legal structure as it relates to policing issues to the other member countries, as well as to international and European policing standards. The Committee also has a police monitoring project to observe conditions in police detention and report abuses.

India

Commonwealth Human Rights Initiative (CHRI)
1st Floor K-92
Hauz Khas Enclave
New Delhi, 110016
Tel: 91 11 686 4678
Fax: 91 11 686 4688

The Commonwealth publishes the *CHRI News*, a publication devoted to the dissemination of information to individuals and groups concerned with police and prison reform and human rights advocacy. It researches and reports instances of police and human rights abuse worldwide and updates its subscribers on developments in human rights advocacy.

Human Rights Advocacy and Research Foundation
Ossie Fernandes
25 South Mada Street
Srinagar Colony, Saidapet
Madras 600 015
Tel: 91 44 235 3503
Fax: 91 44 491 0746

Human Rights Law Network
Colin Gonsalves, Director
Engineer's House
86 Apollo Street
Bombay 400 023, Maharashtra
Tel: 22 267 6680

Peoples Union for Democratic Rights (PUDR)
Dr. Sudesh Vaid
D-2, Staff Quarters, I.P.
College, Shamnath Marg.
Delhi 110054
The PUDR is a group of volunteer lawyers and activists who provide legal advice to victims of police brutality and/or their families. The PUDR publishes briefing papers on individual cases of police abuse and holds demonstrations to raise public awareness of the issue.

South Asia Human Rights Documentation Centre
Ravi Nair, Director
C16/2 DDA FLAT (SSS)
Saket
New Delhi 110 017
Tel: 91 11 686 5736
Fax: 91 11 688 5736
ravi@sadc.unv.ernet.in

The South Asia Human Rights Documentation Centre documents and reports on human rights abuses in South Asia. The Center has published reports on refugee issues, official impunity, and affirmative action. Recently, the Centre has participated in seminars with police and members of the National Human Rights Commission.

Japan

Japan Civil Liberties Union
Japan Urban Security Research Institute
P.O. Box 2517
Tokyo Opera City
Tokyo 163-14
Tel: 81 03 5353 0461
Fax: 81 03 5353 0460

Mexico

Comisión Mexicana de Defensa y Promoción de los Derechos Humanos, A.C.
Mariclaire Acosta, Director
Tehuantepec 155, Col. Roma Sur
México, D.F. 06760
Tel: 564 2582, 564 9116
Fax: 584 2731
cmdpdh@laneta.apc.org

Poland

Helsinki Foundation for Human Rights
Marek Nowicki, Director
ul. Bracka 18, m. 62
00-028 Warsaw
Tel: 48 22 826 9875
Fax: 48 22 828 6996
hfhrpol@ikp.atm.com.pl
The Helsinki Foundation for Human Rights has broad responsibility for monitoring the Polish Government's compliance with the Helsinki Accords. One of the foundation's main areas of focus is on monitoring and improving policing. A special team of observers keeps track of complaints by citizens against police. Some of the foundation's staff have begun working with police to improve

their human rights record and to help them become more effective without using brutality. The foundation has developed a training curriculum and course manual for police training in human rights.

Russia

Citizens' Watch
Boris Pustintsev, President
5, Malaya Koniushennaya
St. Petersburg 191186
Tel/Fax: 812 325 89 15
citwatch@mail.wplus.net
Citizens' Watch, formed in 1992, is an organization of lawyers, human rights activists, social scientists and publicists concerned with the lack of parliamentary and civic control over security services, armed forces, and criminal police. Citizens' Watch organizes seminars and conferences to encourage the reform of agencies governing these forces, to work out amendments to the Russian legislation which would bring it closer to international legal standards, and to lobby for them in Russian Parliament. In the last four years, Citizens' Watch has been working on the legal problems surrounding personal data protection.

Glasnost Defense Fund
Aleksei Simonov
4 Zubovsky Bulvar
Room 432
Moscow 119021
Tel: 095 201 44 20
Fax: 095 201 49 47
simonov@fond91.msk.ru

Moscow Center for Human Rights
Moscow
The Moscow Center for Human Rights' main projects are the Public Reception Center and the Human Rights Information Network. The Public Reception Center gives legal assistance and investigates claims of abuse. The Network provides organizational assistance and information to human

rights NGOs across Russia and focuses on human rights monitoring and distribution of educational and legal materials.

Moscow Center for Prison Reform
Valerii Fiodorovich Abramkin, Director
4 Luchnikiv pereulok
Room 24, 26
Moscow 10100
Tel: 095 206 8497 / 206 8684 / 206 8145
Fax: 095 206 8658
mcprinf@glasnet.apc.org
The Moscow Center for Prison Reform is working to build an effective criminal justice system; establish principles of social justice; develop crime prevention strategies; improve the personal safety of citizens; and humanize incarceration. The Center produces a weekly radio program devoted to prison reform and prisoner rights and is developing a library of materials related to the Russian penitentiary system.

Moscow Public Science Foundation
Andrei V. Kortunov, President
Moscow Legal Resource Center
Sergei Sirotkin, Program Director
Central Post Office, Box 245
Moscow 101000
Tel: 095 280 3526
Fax: 095 280 7016
ak96@glas.apc.org
mlrc@glas.apc.org
The Moscow Public Science Foundation, a non-profit NGO established in 1991, supports research on political science, sociology, law, economics and the history of Russia, in the interest of strengthening the Russian Federation and promoting the development of international relations. The MPSF designs and implements programs aimed at reviving Russian research, culture and education and strengthening humanitarian values. The Foundation promotes interregional and international academic cooperation, democracy, patriotism and freedom.

Russian-American Human Rights Project Group
Aleksey Korotaev

9, Komsomolsky Prosekt
Apt. 45, 6 Floor, Porch 2
103051 Moscow
Tel: 7095 245 2209
Fax: 7095 973 2094

South Africa

Centre for the Study of Violence and Reconciliation
Graeme Simpson, Director
PO Box 30778
Braamfontein 2017
Tel: 27 11 403 5650
Fax: 27 11 339 6785
csvr@wn.apc.org
The Centre was founded in 1989 to focus on the successful development of democracy in South Africa and on rebuilding the country's social fabric. The Centre works with the police and other organizations on policy matters, trauma counseling, advocacy and lobbying.

Lawyers for Human Rights
Stuart Mciteka
P.O. Box 36346
Glosderry, 7702
Tel: 021 612195

Sweden

Raoul Wallenberg Institute of Human Rights and Humanitarian Law
Mikael Johansson, Programme Officer
Berlingska Huset
Stora Grabrodersgatan 17
P.O. Box 1155
S-22105 Lund
Tel: 46 46 222 1222
Fax: 46 46 222 1222

Uganda

Foundation for Human Rights Initiative (FHRI)
Livingstone Sewanyana, Executive Director
Plot 77 Makerere Hill Road
PO Box 11027

Kampala
Tel: 256 41 530-095
Fax: 256 41 540-561
FHRI@mukla.gn.apc.org
The Foundation was established in 1992 to promote human rights education and research and to advocate for legal reform. There are several core project activities: paralegal training; publication of a twice-yearly journal; the Citizens Advice Bureau, which deals with complaints and refers appropriate cases to the Uganda Association of Women Lawyers (FIDA) or the Legal Aid Project; penal reform, including research into prisoners' rights and prison conditions; and constitutional reform. It proposes to organize a "Lawyers for Human Rights Network" to encourage the participation of lawyers in human rights work.

Human Rights Network of Uganda (HURINET)
Ms. Norah Mayovu Winyi, National Coordinator
P.O. Box 21265
Kampala
Tel/Fax: 256 4 345 526
HURINET is an umbrella organization for several human rights NGOs based in Kampala.

Human Rights and Peace Centre (HURIPEC)
Joe Olaka-Onyango, Director
Sam Tindifa, Professor
Faculty of Law
Makarere University
P.O. Box 7062
Kampala
Tel: 256 41 532-956
Fax: 256 41 532-954
The Centre is a department of the Makerere University in Kampala, supervised by but independent from the Faculty of Law. The Centre's objectives include the development and dissemination of academic human rights programs and materials. Law professors at HURIPEC monitor human rights abuse committed by police, court cases brought against police, and police reform.

Professor Tindifa has written an evaluation of Uganda's community policing program. The Centre publishes the *East African Journal of Peace and Human Rights* and plans to open a library and documentation unit.

Uganda Human Rights Activists (UHRA)
UHRA has been working to promote human rights since 1985. It publishes a quarterly report on human rights violations in Uganda, a quarterly journal, *The Activist*, as well as a newsletter and booklets educating citizens about their rights. UHRA also organizes seminars, workshops and paralegal training, and provides some legal advice.

United Kingdom

Amnesty International
Angela Wright, Researcher
International Secretariat
1 Easton Street
London WC1X 8DJ
Tel: 44 71 413 5500
Fax: 44 71 956 1157
The London branch of Amnesty International monitors and reports on police misconduct in New York City and other U.S. cities. Other AI reports focus on the detention of political prisoners, deaths in police custody, official impunity, and various other human rights issues.

National Council for Civil Liberties (Liberty)
Philip Leach
21 Tabard Street
London SE1 4LA
Tel: 44 71 403 3888
Fax: 44 71 407 5354
liberty@gn.apc.org
Liberty undertakes a wide variety of civil rights projects, such as lobbying for legislative reform and assisting in legal actions taken by individuals. Liberty has assisted in the litigation of individual cases of police misconduct and has chaired discussions and committees on that topic. Liberty frequently makes submissions to the government in response to

consultation papers proposing changes in the law.

United States

Alliance Working for Asian Rights and Empowerment (AWARE)
P.O. Box 28977
Santa Ana, CA 92799-8977
Aware is a grassroots community support and advocacy group for Asians and Pacific Islanders. It supports the passage of a state law to ban police from taking photos of persons stopped but not arrested; educates citizens of Orange County on police procedures; advocates more diversity in police hiring; and conducts youth outreach programs.

American Civil Liberties Union (ACLU)
125 Broad Street
New York, NY 10004
Tel: 212 549 2500
The American Civil Liberties Union monitors police brutality throughout the United States. Local ACLU chapters work with community coalitions to challenge the misuse of police strategies such as high-speed pursuits and the use of police dogs. In an effort to bring about legislative reform, the ACLU is working with members of Congress to draft legislation that would prohibit highway stops and searches based on race. Additionally, it produces a publication outlining strategies for police departments to reduce police misconduct and enhance professionalism. The ACLU also educates citizens about their rights when placed under arrest.

American Friends Service Committee
1501 Cherry Street
Philadelphia, PA 19102-1479
Tel: 215 241 7000
Fax: 215 241 7275
afsc@afsc.org
The American Friends Service Committee works in the areas of human rights documentation and monitoring, community organizing, public education, and policy advocacy. In partnership with

local communities particularly along the US-Mexico border, AFSC encourages citizens to have a voice in policing and policing policies.

Bay Area Police Watch
Van Jones
301 Mission Street, Suite 400-B
San Francisco, CA 94105
Tel: 415 543 9444
Fax: 415 543 0296
ellabaker_humanrights@sfbayguardian.com
The Bay Area Police Watch, an organization sponsored by the Ella Baker Center for Human Rights in California, is a grassroots outreach project that cooperates with communities and community organizations to advocate in areas affected by police misconduct. Bay Area Police Watch also provides free legal representation to victims of discrimination or racism.

Center for Constitutional Rights
The Movement Support Resource Center
David Love
Gabriel Torres
666 Broadway
New York, NY 10021
Tel: 212 614 6464
Fax: 212 614 6499
CCR@igc.apc.org
The Movement Support Resource Center, the community outreach/activism arm of the Center for Constitutional Rights, was founded to advocate respect for human rights in the United States in view of what the Center perceives as a growing threat to civil rights legislation and social guarantees. Originally designed to focus on problems in the New York area such as the burning of Black churches, immigration, economic justice for the poor and police brutality, MRSC has expanded its mission to deal with issues of national and international scope, particularly in the case of police brutality.

The Center for Human Rights Advocacy
Bill Cohen, President and Chief Counsel
3120 Sixth Street

Boulder, CO 80304-2508
Tel: 303 444 0970
Fax: 303 444 0982

Copwatch
2022 Blake Street, Room C
Berkeley, CA 94704
Tel: 510 548 0425
samdavis@ocf.berkeley.edu
Copwatch is a grassroots organization working to defend the rights of the community, including the homeless, primarily by monitoring police activity in the neighborhoods of Berkeley.

Human Rights USA
Lyn Beth Neylon, Director
918 16th Street, NW, Suite 602
Washington, DC 20006-2902
Tel: 202 293 0088 ext. 251
Fax: 202 293 0089
lneylon@streetlaw.org
Human Rights USA aims to develop comprehensive human rights education and advocacy programs in school and community settings to promote the protection of human rights in the United States. HRUSA runs a clearinghouse of human rights education resources.

Human Rights Watch (HRW)
Allison Collin
1522 K Street, NW, #910
Washington, DC 20005-1202
Tel: 202 371 6592
Fax: 202 371 0124
Human Rights Watch's broad agenda is the promotion of human rights around the world though documentation of abuses, dissemination of reports, and policy recommendations. In a forthcoming report, HRW will review the problem of police abuse and barriers to police accountability in fourteen major U.S. cities. The report will document obstacles for making police more accountable for human rights abuse and suggest recommendations for reform.

Lawyers Committee for Human Rights
Michael Posner, Executive Director

330 Seventh Avenue
New York, NY 10001
Tel: 212 845 5249
The Lawyers Committee documents human rights abuses in all parts of the world, publishes reports, and recommends government action to correct abuse. Lawyers on the Committee's staff occasionally provide legal assistance to human rights victims. The Committee has been especially active in denouncing impunity for abuses committed by agents of the state.

MALIK
284 James Street
New Haven, CT 06513
Tel: 203 752 1214
Fax: 203 752 0239
MALIK is a grassroots organization dedicated to seeking the prosecution of the police officer accused of killing Malik Jones on April 14, 1997. The organization recommends that the New Haven police department and city government examine its policies with respect to pursuit and the use of deadly force; increase public awareness about police brutality and abuse of power; establish mechanisms to monitor and control instances of false arrest and police misconduct; and require diversity training.

Mothers Against Police Harassment
P.O. Box 2886
Seattle, WA 98122
Tel: 206 329 2033
Mothers Against Police Harrassment aims to increase police accountability by educating the public on police tactics, the dangers of pepper spray, the implications of mandatory sentencing laws, and by organizing workshops for young people on what to do if they are stopped by the police.

National Association for the Advancement of Colored People (NAACP), Washington Bureau
1025 Vermont Avenue, NW, Suite 1120
Washington, DC 20005
Tel: (202) 638-2269

NAACP Information Hotline: 410-521-4939
http://naacp.org/
The NAACP advances the rights and prospects of United States minorities, particularly African Americans. With offices across the country, the organization works in such areas as voting rights, economic advancement, community development, and anti-discrimination advocacy. It also publishes Crisis Magazine and lobbies government at the local, state, and federal levels.

National Coalition on Police Accountability (N-COPA)/Citizens Alert
Mary Powers, National Coordinator
59 East Van Buren #2418
Chicago, IL 60605
Tel: 312 663 5392
Fax: 312 663 5396
ncopa@juno.com
Citizens Alert is a civic organization whose purpose is to make Chicago-area law enforcement agencies accountable to the public. Its sister organization, N-COPA, provides assistance to organizations and coalitions concerned with police misconduct, and provides neutral observers at public demonstrations and other potentially confrontational situations.

National Congress for Puerto Rican Rights
Ramon Gonzalez-Communications Officer
New York City Chapter
PO Box 1307
Madison Square Post Office
New York, NY 10159
Tel: (212) 631-4263
With chapters in New York, Philadelphia, Boston, and San Francisco, the National Congress for Puerto Rican Rights (NCCPR) is an advocacy group focusing on rights and leadership in Puerto Rican communities. The NCCPR organizes campaigns, promotes legislation, publishes newsletters and reports, and works to build coalitions with other groups fighting discrimination.

New York Civil Liberties Union (NYCLU)
Norman Siegal, Director
125 Broad Street
New York, NY
Tel: 212 344 3005
Fax: 212 344 3318
The NYCLU's activities in the area of policing include monitoring the city's Civilian Complaint Review Board, assisting victims of police misconduct in processing complaints, and pressuring the mayor and law enforcement officials to take steps toward greater police accountability.

The Police Complaint Center
4244-233 W. Tennessee Street
Tallahassee, FL 32304
Tel: 800 681 1874
The Police Complaint Center facilitates the processing of complaints for victims of police brutality or misconduct.

Police-Barrio Relations Project (PBRP)
Will Gonzalez
2835 North 5th Street
Philadelphia, PA 19133
Tel: 215 423 4812
Fax: 215 423 5104
The Police-Barrio Relations Project is a non-profit community based organization that seeks to improve relations between the Latino community and the police by reducing the incidence of police misconduct in poor neighborhoods and by improving police services to the Latino communities of Philadelphia. The PBRP's activities include organizing community education workshops that use Latino law enforcement officials and legal professional as civil rights teachers to provide the community with an understanding of what is permissible police behavior and inform the public of what to do and where to get help if confronted with police misconduct. The PBRP also encourages victims and their families to file complaints and links them to civil rights attorneys who specialize in police abuse cases. In addition, the PBRP tries to increase officers' awareness and understanding of the Latino community

and to improve the investigation of police misconduct complaints.

Stolen Lives Project
160 First Avenue, Box 124
New York, NY 10009
Tel: 212 822 8596
A joint project of the Anthony Baez Foundation, the National Lawyers Guild, and the October 22nd Coalition to Stop Police Brutality, the Stolen Lives Project's objective is to assemble a national list of people killed by police and the United States Border Patrol from 1990-97 in order to give a "human face" to the problem of police brutality.

Washington Office on Latin America (WOLA)
George Vickers, Executive Director
Rachel Nield, Senior Associate
400 C Street, NW
Washington, D.C. 20002
Tel: 202 544 8045
Fax: 202 546 5288
wola@wola.org
The Washington Office on Latin America promotes human rights, democracy, and social justice through advocacy and NGO capacitation in Central America, the Caribbean, and other parts of Latin America. WOLA monitors the impact of U.S. foreign policy on human rights in Latin America and assists NGOs by linking them with policy-making circles in the United States as well as in their own countries. Among its key objectives are to help strengthen civil society, foster effective civilian control of the military, and professionalize police forces.

Safety and Violence Reduction Initiatives

Argentina

Center for Citizen Participation and Oversight of the Government of the City of Buenos Aires
(Centro para la Participación y el Control Ciudadano del Gobierno de la Ciudad de Buenos Aires)
Marta Oyhanarte, Director
Av. de Mayo 560, piso 2, of. 26
Buenos Aires
Tel: 54 1 342 6897/343 2620
Fax: 54 1 343 8655
The Center was created in 1997 to increase citizen participation in public policy debate, as well as government transparency and accountability. The Center sponsors public hearings on budget allocations and pilot projects in the areas of courts, community leadership, public information service, and public safety and human rights.

Citizen Power
(Poder Ciudadano)
Roberto Saba, Director
Rodriguez Peña 681, piso 2, of. 4
Buenos Aires
Tel: 54 1 814 4925
Fax: 54 1 374 7290

Brazil

Center for the Study of Violence
(Núcleo de Estudos da Violência)
University of São Paulo
Paulo Sergio Pinheiro, Director
Rua do Anfiteatro, 181
Colomia, Favo 11
Cidade Universitaria
CEP 05508, São Paulo
Tel: 55 11 818 3302/3577
Fax: 55 11 818 3158
NEV was founded by faculty of the political science, sociology, and philosophy departments of the University of São Paulo in 1987 to examine the effects of violence on Brazilian society, provide data and analysis on the problem of violence, propose public policies to curb violence, and design programs to reduce the impact of violence on people's lives. Many researchers at NEV have studied the high rate of violence committed police in Brazil and, in particular, the question of impunity for their abuses.

Viva Rio/Superior Institute for Religious Studies (ISER)
Rubem Cesar Fernandes, Executive Director
Ladeira da Gloria, 98
CEP 22211-120
Rio de Janeiro
Tel: 55 21 265 5923/205 0398
Fax: 55 21 205 8035
ISER has promoted social justice and an active civil society through research, training, and advocacy since 1970. Since the process of democratization in Brazil, ISER has collaborated with the national, state, and municipal governments to advance various issues, including: strengthening civil society, public safety and civil rights; sustainable development; and religion and society. ISER's sister organization, Viva Rio, began as a public campaign for residents to demand better protection against violent crime from the Rio de Janeiro government. Viva Rio's activities have expanded to include an effort to train community leaders in some of Rio's poorest neighborhoods.

Chile

FORJA: Judicial Training for Action
(Formación Jurídica para la Acción)
Sebastian Cox, Director
Ernesto Reyes 065
Providencia, Santiago
Tel: 56 2 735 4845
Fax: 56 2 777 6196
cedal@rdc.cl
FORJA is a non-governmental organization that trains lawyers, educators, social workers, and others in public administration, human rights, and the judicial process, certifying them as

12

community leaders. The leaders then help citizens navigate social services and the justice system. FORJA's goal is to increase citizen participation in government and to sharpen the responsiveness of government to citizens' needs.

South Africa

Business Against Crime
Natasha Chand
3rd Floor, Southern Life Gardens
6 Protea Place, Sandton
Johannesburg
Tel: 27 11 883 0717
Fax: 27 11 883 1679
Business Against Crime is a nonprofit collective of business leaders, works with senior police officials to help the government and South African Police Service (SAPS) better manage crime reduction. The organization receives funds from corporate sponsors and channels corporate donations to the police. Through BAC, the BMW corporation has provided the Johannesburg police, for example, with several BMWs for apprehending car jackers.

Community Peace Foundation
University of the Western Cape
Zelda Holtzman
Community Law Centre
Private Bag X17
Bellville, 7535
Tel: 021 959 2950

Idasa
Community Safety Unit
Mduduzi Mashiyane
357 Visagie Street (at Prinsloo)
PO Box 56950
Arcadia 0007
Pretoria 0001
Tel: 27 12 320 3820
Fax: 27 12 320 2414
info@idasa.org.za
Idasa is a public interest organization working toward the promotion of sustainable democracy and democratic values in South Africa. Idasa operates several programs aimed toward this goal.

Idasa's Community Safety Unit works with both police and communities to strengthen Community Policing Forums.

Public Safety and Security Committee
Thandaza Dlulane, Committee Coordinator
Private Bag X52
Johannesburg 2000
Tel: 27 11 498 5562

Switzerland

Programme to Overcome Violence/Peace to the City Campaign
World Council of Churches
Salpy Eskidjian, Coordinator
PO Box 2100
1211 Geneva 2
Fax: 41 22 791 0361
sal@wcc-coe.org
The WCC is a fellowship of 330 Christian churches. The Programme to Overcome Violence (POV) was launched in 1994 to inspire coalitions of churches, religious communities, and others to build a culture of peace with justice through prevention, mediation, intervention and education programs appropriate to their particular contexts. The two-year Peace to the City Campaign, which will culminate in December 1998 in Harare, Zimbabwe, brings together churches and community organizations to implement creative models of community rebuilding. There are seven cities in the campaign (Rio de Janeiro, Belfast, Boston, Colombo, Durban, Kingston, and Suva), although churches and groups everywhere engaged in peace building are invited to participate in the research and development, networking, data collection, project highlighting, sharing and analysis of the campaign.

United States

Community Relations Service (CRS)
Rose Ochi, Director
U.S. Department of Justice
600 E Street, NW, Suite 2000

Washington, DC 20530
Tel: 202 305 2935
Fax: 202 305 3009
CRS is the Federal government's
"peacemaker" for community conflicts
and tensions arising from differences of
race, color, and national origin and was
created by the Civil Rights Act of 1964.
CRS assists state and local governments,
private and public organizations, and
community groups in trying to restore
community racial stability through
mediation, counseling and technical
assistance. CRS's thirty-four conflict
resolution professionals assess
community relations and ethnic and racial
tensions; develop guidelines and policies
for easing racial tension and conflict; build
strategies with state and local
governments and community groups to
prevent and respond to civil disorders;
improve communication among federal,
state, and local public officials and
community leaders and residents. CRS
has no law enforcement authority and
does not impose solutions, investigate or
prosecute cases.

National Gay and Lesbian Task Force
1734 14th Street, NW
Washington, DC 20009
Tel: 202 332 6483
The National Gay and Lesbian Task Force
is a civil rights organization that promotes
freedom and equality for lesbians and
gays. Its Anti-Violence Project publishes
an annual report on "Anti-Gay/Lesbian
Violence, Victimization & Defamation,"
and a pamphlet, "Dealing With Violence:
A Guide for Gay and Lesbian People."

Office for Victims of Crimes
Tim Johnson
U.S. Department of Justice
810 Seventh Street, NW
Washington, DC 20531
This branch of the Department of Justice
works with the community, the police, and
victims to promote better treatment of
crime victims.

*People United for a Better Oakland
(PUEBLO)*
132 East 12th Street
Oakland, CA 94606
Tel: 510 452 2010
Fax: 510 452 2017
PUEBLO organizes direct action
campaigns around issues of health care
accessibility, education, environmental
justice, neighborhood safety, police
accountability, and the rights of young
people. Its efforts have led to, among
other things, assets forfeited in connection
with drug trafficking being used for crime
prevention and youth development
programs, and the strengthening of
Oakland's Citizen Police Review Board.

U.S. Institute of Peace (USIP)
1550 M Street, NW, Suite 700
Washington, DC 20005
The Institute of Peace is funded by the
U.S. government and attempts to promote
the peaceful settlement of disputes world-
wide. It has an active publishing
department that frequently publishes
works concerning police/community
issues.

Policing and Criminal Justice Research and Policy Institutes

Australia

Australian Institute of Criminology (AIC)
Adam Graycar, Director
74 Leichhardt Street
Griffith Act 2603
Tel: 61 6 260 9200
Fax: 61 6 260 9201
garry.raffaele@aic.gov.au
Established in 1971 by the Australian
federal government, the Institute
researches crime, crime prevention policy,
and the administration of justice. The AIC
is organized into three departments:
research, information service, and
administrative service. Research

generated by the AIC is intended to help government officials make sound policy decisions in the areas of justice and crime prevention. The AIC aims to improve the accountability of professional administrative criminal justice departments and disseminate information about the criminal justice system to the public, media and government.

Center for Police and Justice
Colleen Lewis
Monash University
P.O. Box 197
Caulfield East
Victoria 3145
Tel: 61 3 9903 2738
Fax: 61 3 9903 2139

Austria

United Nations Crime and Justice Information Network (UNCJIN)
United Nations Crime Prevention and Criminal Justice Division (CPCJD)
Eduardo Vetere, officer-in-charge
Vienna International Centre
P.O. Box 500
1440 Vienna
Tel: 0043 1 21345 0 4272
Fax: 0043 1 21345 5898
evetere@unov.un.or.at
The United Nations Crime and Justice Information Network is a clearinghouse for crime prevention and criminal justice resources. UNCJIN and CPCJD convene international congresses on selected criminal justice topics every five years. Both organizations work to establish international norms for the administration of criminal justice.

Belarus

Institute on Problems of Criminology, Criminalistics and Forensic Expertise
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rcpi@expert.belpak.minsk.by

Bolivia

Bolivian Society for Criminal Sciences (Sociedad Boliviana de Ciencias Penales)
Ivan Aliaga Romero, President
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Canada

International Centre for Criminal Law Reform and Criminal Justice Policy
John Evans, Senior Associate
1822 East Mall
Vancouver, B.C. V6T 1Z1
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prefont@law.ubc.ca
The Centre is a non-profit consultative organization dedicated to reducing crime and improving justice. The Centre is part of the United Nations Network of Criminal Justice Institutes and has contributed to the establishment of the Ad Hoc War Crimes Tribunal, produced draft legislation on the use of criminal law to protect the environment, developed a common International Criminal Law curriculum, and contributed to international policy-making on organized and economic crime.

International Centre for the Prevention of Crime (ICPC)
Irvin Waller, Director General
507, Place d'Armes
Bureau 2100
Montreal, Quebec H2Y 2W8
Tel: 514 288 6731
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cipc@web.apc.org
The International Centre for the Prevention of Crime assists cities and countries in reducing delinquency, violent crime, and insecurity. The ICPC collaborates with local, national, regional,

and specialized entities to harness prevention experience from around the world to solve local crime problems.

Chile

Center for Development Studies (Centro de Estudios del Desarrollo, CED)
Program on Internal Peace and Public Order (*Paz Interna y Orden Publico*)
Hugo Frühling, Director
Nueva de Lyon 128
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Santiago
Tel: 56 2 231 2723/231 1953
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hfruhlin@abello.dic.uchile.cl
CED is an independent, non-partisan research organization founded in 1980 to advance the interests of civil society in sustainable development, equality, and democratic stability. CED's principle areas of focus are: decentralization of the national government, along with the capacitation of regional and local governments; international relations and foreign policy; civil-military relations; citizen safety and internal peace; environmental protection; and gender equality. Scholars at CED generate research and policy recommendations related to internal security, civil-military relations, legislative reform, and policing. CED collaborates with the Center for Legal and Social Studies in Buenos Aires and the Institute for Legal Defense in Lima on a regional program on the Democratic Control of Internal Security Organs. During 1997, the three institutes held three workshops in each country to stimulate discussion about public safety and accountability of policing agencies.

Foundation Citizen Peace (Fundación Paz Ciudadana)
Valenzuela Castillo 1881
Providencia, Santiago
Tel: 56 2 274 8488
Fax: 56 2 274 8361
fpc@netup.cl

Fundación Paz Ciudadana is a non-profit institution dedicated to reducing crime and generating reliable information about crime. The Foundation works with other private and public institutions to modernize the judicial system and to improve policing, crime prevention, and rehabilitation of offenders. The Foundation also studies Chilean law and the criminal justice system, including the court system, police forces, and prisons. Based on this research, the Foundation proposes legislative and institutional reforms.

Costa Rica

Latin American Institute of the United Nations for the Prevention of Crime and Treatment of Offenders (Instituto Latinoamericano de las Naciones Unidas para la Prevenció de la Delincuencia)
Rodrigo Paris-Steffens, Director General
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1000 San Jose
Tel: 506 2337 471
Fax: 506 2337 175

Ecuador

Latin American Corporation for Development (Corporación Latinoamericana para el Desarrollo, CLD)
Valeria Merino Dirani, Executive Director
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Brazil

Latin American Institute for the Prevention of Crime (ILANUD)
(Instituto Latino-Americano das Nações Unidas para Prevenção do Crime e Tratamento do Delincqüente)
Oscar Viera, Executive Secretary
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Vila Buarque
São Paulo CEP 1222-020

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The Brazil office of ILANUD (there is also one in Costa Rica) opened in 1997 with an aim toward strengthening the rule of law, respect for human rights, peace keeping, and social development. Although ILANUD's work is presently concentrated in Brazil, the office plans to expand its scope to include all of the Southern Cone. ILANUD encourages governments of the region and civil society to work jointly toward improving the administration of justice and crime prevention. Sociologists at ILANUD have completed studies on the incidence of violence in neighborhoods of São Paulo, victimization, disarmament, alternative sentencing, police reform, and other related topics.

Finland

European Institute for Crime Prevention and Control (HEUNI)
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heuni@joutsen.pp.fi
HEUNI is the European link in the network of institutes operating within the framework of the United Nations Crime Prevention and Criminal Justice Programme. HEUNI promotes the exchange of information on crime prevention and criminal justice among European countries; organizes seminars and conducts surveys on topical crime prevention and criminal justice issues; and serves as a clearinghouse to disseminate information on crime trends and the operation of criminal justice systems.

France

Institute of Scientific Policing and Criminology
University of Lausanne
UNIL-BCH

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Germany

Max Planck Institute for Foreign and International Penal Law and Criminology
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Hungary

Center for Consitutional and Legislative Policy (COLPI)
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szikingi@osi.hu
COLPI supports legal reform efforts and the development of legal culture in Central and Eastern Europe, the Balkans, and the former Soviet Union. COLPI focuses on promoting a well functioning legal system by translating foreign legal texts into several regional languages and producing original legal textbooks; developing legal reform strategies to investigate why rights are often unenforced or underenforced; researching obstacles to the institutionalization of basic rights in closed institutions; and working towards constitutional and judicial reform by encouraging public debate and offering legal consultation to law makers. One project, aimed at improving both police training and public awareness, is publishing wallet cards in a half dozen countries outlining a person's rights upon arrest.

Police Research Institute
1016 Budapest
I. Alsohegy u. 16-18

Tel: 36 1 166 5850
Fax: 36 1 185 1888
The Police Research Institute was established in 1991 by the Ministry of the Interior to provide a research basis for public security policies. A staff of sociologists, lawyers, and political scientists carries out quantitative and qualitative research on crime, policing strategies, and police organization and management.

India

Bureau of Police Research and Development
Ministry of Home Affairs
Block No. 11, 3rd/4th Floor
C.G.O. Complex, Lodhi Road
New Delhi-110003
The Ministry of Home Affairs established the Bureau of Police Research and Development in 1970 to improve the quality of police work and investigations. Staffed by senior police officers, social scientists, forensic specialists, and criminologists, the Bureau studies policing problems, promotes the use of science in police work, reviews training, advises the Home Ministry on police policy, and promotes the development of forensic science. Areas of research include crime, crime prevention, investigation, and police organization. The Bureau also publishes three journals: *Police Research & Development Journal, The Indian Police Journal,* and *Police Vigyan* (Hindi).

Indian Institute of Victimology
Department of Criminology
University of Madras
Madras

Ireland

Center for the Administration of Justice (CAJ)
The Northern Ireland Civil Liberties Council
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CAJ works to improve the administration of justice in Northern Ireland by ensuring that the government complies with international human rights law. CAJ devotes its resources to the compilation of reports on policing, emergency laws, and the criminal justice system. In addition, CAJ has conducted a comparative research project to examine policing in a number of countries in order to analyze models of good practice in accountability, representation, and police structures in societies in transition. The project resulted in a book published in 1998, *Human Rights on Duty.*

Italy

International Scientific and Professional Advisory Council of the United Nations Crime Prevention and Criminal Justice Program (ISPAC)
Adolfo Beria di Argentine
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ISPAC is charged with channeling professional and scientific knowledge to the United Nations and serves as a source for the transfer of knowledge and the exchange of information in crime prevention and criminal justice. ISPAC assists the United Nations in program formulation and implementation in the field of criminal justice, and provides access to the services of constituent organizations, including technical assistance, training and education, research, monitoring and evaluation. ISPAC works toward making criminal justice systems more responsive to the needs of women, juveniles and marginalized segments of the population.

United Nations Interregional Crime and Justice Research Institute (UNICRI)
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00186 Rome
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unicri.org@agora.stim.it
UNICRI conducts research, training, and field activities to help governments formulate policies that foster justice and human rights. The Institute provides training at the national level on policing and crime prevention. It also facilitates an international information exchange through its international documentation center on criminology.

Japan

United Nations Asian and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI)
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Poland

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Institute of Justice
Ministry of Justice
Andrzej Siemaszko, Director
Eleonora Zielinska, Lawyer
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The Institute of Justice was established in 1992 as a research and development unit of the Ministry of Justice. The Institute carries out research related to the following issues: courts, the functioning of law enforcement, justice administration agencies, the etiology of crime, structure and trends of crime, victimology, effectiveness of sanctions, the prison system and prison population, comparative studies in law and criminology, and the harmonization of Polish law with European standards.

Institute of Penal Law
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Russia

All Russia Research Institute
Russian Ministry of Foreign Affairs
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Center for Independent Social Research
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Central and Eastern Europe Law Initiative (CEELI)
American Bar Association
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CEELI works to advance the rule of law by supporting the legal reform process

underway in Central and Eastern Europe and the New Independent States of the former Soviet Union. CEELI recruits volunteer legal professionals from the U.S. and Western Europe to participate in legal professional reform and continuing legal education, judicial reform and criminal law reform.

Research Institute of the Ministry of Internal Affairs of the Russian Federation
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Research Institute on the Problems of the Strengthening of Law and Order
Procuracy General of the Russian Federation
Aleksandr Sukharev, Deputy Director
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Saudi Arabia

Arab Security Studies and Training Center (ASSTC)
Mohsen Abd Elhamid Ahmed, Director of International Cooperation
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South Africa

Institute for Defense Policy
Crime and Policing Policy Project
R250 000
PO Box 4167
Halfway House 1685
Tel: 011 315 7096
Fax: 011 315 7099
The Crime and Policing Policy Project is an independent project within IDP that focuses on local and metropolitan policing, crime prevention strategies, white-collar crime, and victim support strategies. The Project researches crime-

prevention initiatives at the city-level and studies crime patterns in South Africa's major metropolitan areas and the subsequent formulation of "Safer Cities" programs.

Institute for Security Studies
Sarah Oppler, Mark Shaw
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Constantia Square
138 16th Road
Halfway House
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idp@cis.co.za
ISS conducts research and publishes working papers on crime and policing. Its previous work focused on crime trends and government policy responses, policy initiatives regarding victims of crime, community policing, and new forms of policing involving partnerships with business and community groups.

Institute of Criminology
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University of Cape Town
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The Institute of Criminology is committed to improving democratic institutions in South Africa, educating the public about these institutions, and making recommendations for the improvement of government systems. The Institute has published a series of pamphlets, the Developing Justice Series, which includes an evaluation of police accountability in South Africa. The Institute investigates the past and present state of police accountability and makes recommendations for improvements.

National Institute for Crime Prevention and Rehabilitation of Offenders (NICRO)
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Switzerland

Police Research Agency
Martin Killias, Director
Fax: 41 21 692 2745

Uganda

*African Institute for the Prevention of Crime
and the Treatment of Offenders (UNAFRI)*
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United Kingdom

Police Research Group
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United States

Bureau of Justice Statistics (BJS)
Jan M. Chaiken, Director
U.S. Department of Justice
810 Seventh Street, NW
Washington, DC 20531
Tel: 202 616 3287
BJS and the National Institute of Justice
collect data on police contacts with
members of the public that result in the
use of force by law enforcement officers.
Under the Violent Crime Control and Law
Enforcement Act of 1994, the Attorney
General is required to acquire this data
and publish an annual summary.

Campaign for Effective Crime Policy
Beth Carter
918 F Street, NW, Suite 505
Washington, DC 20005
Tel: 202 628 1903
Fax: 202 628 1091

Center for Democracy and Technology
James X. Dempsey, Senior Staff Counsel
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Washington, DC 20006
Tel: 202 637 9800
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www.cdt.org
The Center for Democracy and
Technology is a nonprofit public interest
organization working to develop public
policies that advance constitutional civil
liberties and democratic values in new
computer and communications
technology. The Center is particularly
concerned with the use of personal data by
law enforcement and intelligence
agencies.

Center for Research in Crime and Justice
New York University School of Law
James B. Jacobs, Director
Jerome H. Skolnick, Co-Director
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New York, NY 10012-1099
Tel: 212 998 6213
Fax: 212 995 4692

Community Policing Consortium
1726 M Street, NW, Suite 801
Washington, DC 20036
Tel: 202 833 3305
Fax: 202 833 9295
The Consortium was established by the
Police Foundation to help transform
community policing from a series of
experiments into a more powerful,
practical, and effective policing strategy.
The Consortium publishes a bimonthly
newsletter, *Community Policing Exchange.*

Inter-American Dialogue
Michael Shifter
1211 Connecticut Avenue
Suite 510

Washington, D.C. 20036
Tel: 202 822 9002
Fax: 202 822 9553
The Inter-American Dialogue is a center for policy analysis, communication, and exchange on Western Hemisphere affairs. Since 1982, the Dialogue has promoted informed debate on hemispheric problems and advances regional economic and political cooperation. Current policy programs focus on trade, finance, education, immigration, and the OAS. A new IAD project will examine violence in Latin America and the options for police, NGOs, policymakers, and others to address it.

National Council on Crime and Delinquency
James Austin, Executive Vice President
1325 G Street, NW, Suite 770
Washington, DC 20005
Tel: 202 638 0556
Fax: 202 638 0723

National Crime Prevention Council
John A. Calhoun, Executive Director
1700 K Street, NW, 2nd Floor
Washington, DC 20006-3817
Tel: 202 466 6272
Fax: 202 296 1356

National Institute of Justice
Jeremy Travis, Director
Sally T. Hillsman, Assistant Director, Office of Research and Evaluation
Steven Edwards, Program Manager
Phyllis McDonald, Social Science Analyst
U.S. Department of Justice
810 Seventh Street, NW
Washington, DC 20531
Tel: 202 307 2942
Fax: 202 307 6394
The National Institute of Justice, a component of the Office of Justice Programs, is the research branch of the U.S. Department of Justice created to evaluate the causes of crime. Created in 1968, NIJ is authorized to support research, evaluation, demonstration programs, development of technology, and information dissemination. Current research is exploring the issues of

community policing, violence against women, sentencing reform, specialized courts, and others. In 1995, NIJ convened a workshop on "Policing in Emerging Democracies," and continues to coordinate comparative research on this topic. NIJ also sponsors a series of workshops and research programs on police integrity.

Office of Community Oriented Policing Services
Joseph E. Brann, Director
Ellen Scrivner, Assistant Director, Training & Technical Assistance Division
Elizabeth Watson, Visiting Fellow
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1100 Vermont Avenue, NW
Washington, DC 20530
Tel: 202 514 2888
Fax: 202 616 2914
The Attorney General created this office after President's Clinton's 1992 pledge to create 100,000 community policing officers. The goals of the office are to coordinate the expansion of community policing programs and personnel; to develop an infrastructure to support and sustain community policing; and to demonstrate and evaluate the ability of agencies practicing community policing to significantly reduce the levels of violence, crime and disorder in their communities. The office provides funding principally to hire new officers, but also for new programs, training, and re-deployment.

Office of International Criminal Justice (OICJ)
Richard H. Ward, Director
1033 Van Buren Street, #500
Chicago, IL 60607-2919
Tel: 312 996 9595
Fax: 312 413 0458
OICJ conducts research and law enforcement surveys; organizes exchanges of scholars through conferences and professional workshops; and issues publications on criminal justice with an international perspective. Recent research has compared law enforcement systems of different countries, including China,

Russia, England, Egypt, the Philippines, and Pakistan.

Overseas Development Council
Nicole Ball, Fellow
1875 Connecticut Avenue, NW
Washington, DC 20009
Tel: 202 234 8701
Fax: 202 745 0067
The ODC coordinates programs in peacebuilding, military reform in developing countries, defense-industry conversion, and arms transfers.

Police Executive Research Forum (PERF)
Chuck Wexler, Director
Jim Burack, Counsel
1120 Connecticut Avenue, NW, Suite 930
Washington, DC 20036
Tel: 202 466 7820
PERF is a membership organization of progressive police executives that aims to improve police professionalism. Through research, policy development, and public forums, members try to improve police performance and encourage dialogue between the police and the community. PERF researches the areas of crime control and law and order maintenance, as well as police responsiveness to the homeless, the mentally ill, and domestic violence victims. PERF also conducts training in community policing.

Police Foundation
Hubert Williams, Director
David Weisburd, Senior Research Director
1001 22nd Street, NW
Washington, DC 20037
Tel: 202 833 1460
Fax: 202 659 9149
Since 1970, the Police Foundation, a private, independent, non-partisan organization, has worked to improve policing in the United States. The Foundation sees its role as a catalyst for reform in policing through research, technical assistance, and policy initiation that foster new ideas and approaches in law enforcement. The Foundation aims to make police more professional and efficient, while also encouraging

cooperative relationships with communities. Researchers at the Police Foundation have focused on law enforcement ethics, use of force, disorder, police response to domestic violence, minority and women police officers, crime control, and police management throughout the United States.

RAND
Criminal Justice Program
Peter Greenwood, Director of the Violence Prevention Policy Center
Lois Davis, Researcher
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Santa Monica, CA 90407-2138
Tel: 310 393 0411
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Since 1976, RAND's Criminal Justice Program has been analyzing issues and policy related to crime and violence in the U.S. in order to minimize the harm caused by criminal violence, theft, and illegal drug use. RAND's research agenda focuses on violence prevention, efficiency, effectiveness, and equity within the criminal justice system; and drug use trends and reduction strategies.

United Research Centers on Organized Crime in Eurasia (UReCOrCE)
Louise Shelley, Director
Center for the Study of Transnational Crime
School of International Service
American University
4400 Massachusetts Avenue, NW
Washington, DC 20016
UReCOrCE attempts to evaluate the problem of organized crime in Russia and ways to restore rule of law. The organization conducts research, develops course curricula at law faculties, organizes seminars and conferences on problems associated with organized crime and serves as both a repository and disseminator of information related to this subject. UReCOrCE also gives relevant legislative advice to local and central government institutions concerned with combating organized crime. The

organization publishes *Demokratizatsy*, a quarterly journal covering issues of democratization and political reform, with a particular focus on former Soviet states, policing, and organized crime. Louise Shelley, the center's director, is a specialist in post-Soviet policing and police reform.

Vera Institute of Justice
Christopher Stone, Director
377 Broadway
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hward@vera.org
Known for its leading role in bail reform, supported employment, community policing, and alternative sentencing, the Vera Institute pioneered the use of social science methods in designing and testing innovations in the administration of justice. Vera has designed and organized more than 20 major demonstration projects in its 35-year history. While Vera has operated most of these demonstrations in New York, Vera has also organized projects in England and France and has provided technical assistance to governments throughout the United States and the world. In particular, Vera designed, directed, and then evaluated one of the earliest community policing experiments in the United States, and Vera's research department conducted the largest study ever undertaken of the role of the civilian review board in New York City. Vera is currently engaged with the Ministry of Justice in South Africa to help build a capacity in the ministry to conduct local demonstration projects in criminal justice reform.

Woodrow Wilson International Center for Scholars
1000 Jefferson Drive, SW
Washington DC 20560
Tel: 202 357 2429
Fax: 202 357 4439
The Wilson Center sponsors research, meetings, and publications on a range of issues. Among its projects are East European studies, governance, the Kennan Institute for Advanced Russian Studies, the Latin American Program, the Asia Program, and Urban Studies.

Individual Experts, Scholars, and Consultants

Australia

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Brazil

Jorge da Silva
Rua Luiz de Mattos 86
Fonseca
Niteroi
Rio de Janeiro, CEP 24120-220
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Professor da Silva is a researcher at the Faculdade Latino-Americano de Ciências Sociais (FLASCO) in Rio de Janeiro, where he facilitates courses on public safety and human rights for police personnel. He is also a member of the National Secretary for Human Rights' working group on public safety, which studies policing in Brazil and recommends national reform. Professor da Silva teaches at the State University of Rio de Janeiro and has taught courses on public safety, criminology, human rights, and policing throughout Brazil.

Canada

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India

Ved Marwah, fellow
Center for Policy Research
New Delhi

Dr. K.S. Subramanian
Principal's Residence
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Dr. Subramanian holds a PhD in political
science and has taught at the Indian
Institute of Public Administration. As a
member of the Indian Police Service, he
served in various national and state
government administrations, including
the Intelligence Bureau of the Ministry of
Home Affairs. He has published several
articles on political violence, agrarian
unrest, social justice, and policing. The
current focus of Dr. Subramanian's
research and writing is human rights and
police accountability.

Romania

Monica Macovei
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Ms. Macovei was a prosecutor with the
Human Rights Department at the
Bucharest General Prosecutor's Office
between 1993 and 1997, and previous to
that she was Department Chief at the
same Office. Ms. Macovei is currently a
civil rights lawyer with the Romanian Bar
Association, and in 1996 was appointed as

an International Consultant on women's
rights law to the United Nations. In
addition, she serves as a Legal Expert on
human rights law for the Council of
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Russia

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Professor Gilinsky has published over 240
works, mostly in sociology and
criminology. His current fields of research
are criminology, sociology of deviant
behavior, and social control, mainly from
an international and comparative
perspective.

South Africa

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Ms. Rauch has worked closely with the
Centre for the Study of Violence and
Reconciliation. She is the author of many
articles on South African police reform.

United States

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Dr. Bayley specializes in international comparative policing. He has done extensive research on the police in Japan, Australia, Canada, Britain, Singapore, Bosnia, and the United States. Recently, Dr. Bayley has begun developing a training curriculum in democratic policing for senior officers and assisting in the evaluation of the community policing program in South Africa.

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Paul Chevigny
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New York University School of Law
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Dr. Chevigny's early work focuses on the problems of abuse and corruption in the New York Police Department. In recent years, he has documented human rights abuse committed by police throughout Latin America, often on behalf of Human Rights Watch.

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Jack R. Greene
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Center for Public Policy
Temple University
Gladfelter Hall, 10th Floor
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Fax: 215 204 7779

Philip Heymann
Professor
School of Law
Harvard University
522 Heuser Hall
Cambridge, MA 02138
Tel: 617 495 3137
Fax: 617 495 1110
heymann@hulaw1.harvard.edu

Martha Knisely Huggins
Roger Thayer Stone Professor of Sociology
Department of Sociology
Union College
Schenectady, NY 12308
Tel: 518 388 6008/6292
Fax: 518 388 6721
Professor Huggins specializes in the fields of police accountability and violence. She has mainly researched police torture and social violence in Brazil.

Loralei Kelly
Research Fellow
Stanford Center on Conflict and Negotiations
Stanford University
Stanford, CA 94305-8610
Tel: 415 723 2574
Fax: 415 723 9421

Raymond Kelly
Under Secretary
U.S. Department of the Treasury

1500 Pennsylvania Avenue, NW,
Room 4330
Washington, DC 20220
Tel: 202 622 0240
Mr. Kelly is a former chief of police of
New York City.

Carl Klockars, Professor
Division of Criminal Justice
University of Delaware
120 Timberline Drive
Newark, DE 19711
Tel: 302 368 1109
Fax: 302 368 1337
klockars@udel.edu

Otwin Marenin
Professor of Political Science
Director, Criminal Justice Program
Washington State University
801 Johnson Tower
Pullman, WA 99164-4880
Tel: 509 335 2544
Fax: 509 335 7990
Dr. Marenin's research and publications
focus on international police assistance
programs, police-community relations in
small communities of the United States,
and the origins of policing in Africa and
native Alaskan communities. Dr. Marenin
has taught at the University of Benin
(Nigeria) and at other U.S. universities.

Mark Moore
Professor
Kennedy School of Government
Harvard University
79 John F. Kennedy Street, Room 206
Cambridge, MA 02138
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Fax: 617 496 6372
mark_moore@harvard.edu

William O'Neil
Consultant
National Coalition for Haitian Rights
275 Seventh Avenue, 25th Floor
New York, NY 10001-6708
Tel: 212 337-0005
Fax: 212 337-0028
hrp@nchr.org

William O'Neil is a lawyer specializing in
international human rights and refugee
law who has also evaluated international
police reform programs. He was the Chief
of the United Nations Human Rights
Field Operation in Rwanda, Director of the
Legal Department of the United
Nation/Organization of American States
International Civilian Mission in Haiti,
and has served as a consultant to the UN
Human Rights Field Office in Abkhazia,
Georgia. He is currently a visiting
professor at Harvard College where he is
teaching a course on human rights and
international relations.

Stanley Scheinbaum
Former Chair of the Los Angeles Police
Commission
345 North Rockingham Avenue
Los Angeles, CA 90049-2635
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Northwestern University
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Evanston, IL 60208
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Fax: 847 467 4040

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Fax: 505 277 2821

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Associate Director
School of Criminal Justice
State University of New York at Albany
135 Western Avenue
Albany, NY 12222

Michael Tonry
Professor

School of Law
University of Minnesota
229 19ᵗʰ Avenue South
Minneapolis, MN 55455
Tel: 612 625 1314
Fax: 612 625 2011

Samuel Walker
Department of Criminal Justice
University of Wisconsin
Madison, WI

Elizabeth Watson
Visiting Fellow, Office of Community
Oriented Policing Services (COPS)
2118 Wychwood Drive
Austin, TX 78746
Tel: 512 327 8823
Fax: 512 327 8862
Ms. Watson is currently a visiting fellow at
the COPS office of the U.S. Justice
Department. The results of her current
research on police leadership will support
future police leadership development in
the United States. From 1992 to 1997, Ms.
Watson was the Chief of Police in Austin,
Texas, where she oversaw reorganization
of the department and instituted a
community policing program. Ms.
Watson was also Chief of Police in
Houston, Texas from 1990 to 1992.

James Q. Wilson
32910 Camino Bueno Ventura
Malibu, CA 90265

Police Officials and Organizations

Argentina

Andres Valentín Schmitz
Director General of Training
Federal Police of Argentina
Rosario 532
Buenos Aires
Tel: 901 9229

Brazil

Luiz Eduardo Pesce de Arruda
Captain
Military Police of São Paulo
Av. Higienópolis, 758
CEP 01238-000
São Paulo, SP
Captain Arruda coordinates the state of
São Paulo's community policing program,
CONSEG.

Isaias de Mello Mascarenhas Neto
Colonel, Director of Training and
Instruction
Military Police of São Paulo
Av. Cruzeiro do Sul, 260
5 andar, Sala 528
Tel: 11 229 1213
Fax: 11 227 6026

Chile

Eduardo Botetano
Lt. Colonel, Chief of Public Relations
Department
Carabineros de Chile
Plaza Bulnes 1196, Piso 4
Tel: 56 2 699 5185

Andrés Domínguez Vial
Aide to the Director General
Committee on Professional Development
Investigative Police of Chile
Avda. Independencia No. 56
Santiago
Tel: 56 2 737 1571
Fax: 56 2 737 0805
Professor Domínguez has developed a
training program on human rights and
policing for Chile's Investigative Police

Hungary

Ferenc Bánfi
Brigadier General
Hungarian National Police
Deputy Commissioner
Director of Public Security
1139 Budapest
Teve u. 4-6
Tel/Fax: 361 443 5577

Dr. Bánfi is working with the British government's Know How Fund to design, implement, and evaluate a national community policing program.

India

Ajay Chadha
Deputy Commissioner of Police
Vigilance Cell
Indian Police Service
54 Ashoka Road
New Delhi 110001
Tel: 91 11 331 7759

M.K. Shukla
Director General of Civil Defense
Indian Police Service
New Delhi
Tel: 91 11 331 9652
Fax: 91 11 331 9736

Jija M. Hari Singh
Inspector General of Police
Indian Police Service
Public Grievances, Police Welfare, &
Housing
Police Hqrs., No. 2
Nrupathunga Road
Bangalore-2
New Delhi
Tel: 91 11 221 3351
Fax: 91 11 556 6242

Uganda

Asan Kasingye
Officer-in-Charge
Community Policing Program
Uganda Police Force
Uganda Police Force Headquarters
Parliamentary Buildings
PO Box 7055
Kampala
Tel: 256 41 231 362, 233 814
Fax: 256 41 255 630

Richard Nabudere
Assistant Commissioner
Department of Police for Research,
Planning and Inspectorate

Uganda Police Force
Uganda Police Force Headquarters
Parliamentary Buildings
PO Box 7055
Kampala
Tel: 256 41 231 362, 233 814
Fax: 256 41 255 630

United States

Michael Berkow
Police Chief
City of South Pasadena
1422 Mission Street
South Pasadena, CA 91030-3298
Tel: 626 403 7272
Fax: 626 403 7271
sppd@sppd.org

Michael Farrell
Deputy Commissioner
New York Police Department
Management Analysis and Planning
One Police Plaza, Room 1403
New York, NY 10038
Tel: 212 374 5390
Fax: 212 374 0233

National Black Police Association
Ron Hampton, Director
3251 Mt. Pleasant Street, NW
Washington, DC 20010
Tel: 202 986 2070
Fax: 202 986 0410
nbpanatofc@worldnet.att.net
The National Black Police Association is a resource for community groups working on police abuse issues. The Association provides speakers for public forums and publishes a brochure on how to handle encounters with police entitled, "What to Do When Stopped by the Police."

Jerry Sanders
Chief of Police
San Diego Police Department
1401 Broadway, MS 700
San Diego, CA 92101
Tel: 619 531 2625
Fax: 619 531 2700

Chief Sanders has led the San Diego Police Department since 1993. He has coordinated restructuring and retraining efforts in order to implement community-based, problem-solving policing strategies. He has served the San Diego Police Department for 24 years, holding a variety of positions including SWAT Commander, Training Academy Director, Field Operations Commander, and Assistant Chief of Police.

Women's Organizations

India

National Commission for Women (NCW)
New Delhi
Established in 1992, the NCW pursues gender justice through interventions in cases of discrimination and deprivation of women's rights. The NCW provides counseling, legal services, and general assistance to women all over India. It has a special mandate to address the problems of girls, prostitutes, widows, and women in custody, as well as to facilitate the transfer of technology to rural women. The Crime Against Women cell of the Delhi Police has recently set up "Helpline," an emergency hotline for women in distress.

Poland

Women's Rights Center
Urszula Nowakowska
ul Emilii Plater, 55, m. 44
Warsaw 00-113
Tel: 48 22 621 3537
Fax: 48 22 652 0117
temida@medianet.com.pl
The Women's Rights Center was founded in December 1994 to promote gender equality. The Center tries to ensure that a gender perspective is considered during the law-making process and in the application of the law. The Center

monitors and analyzes existing and proposed legislation and policy, conducts research, proposes legislation on gender equality, monitors the implementation of international conventions and agreements signed by Poland that specifically impact women, issues publications and sponsors conferences and workshops, provides legal counseling and support to women who are victims of discrimination and violence, cooperates with women's organizations around the world; and coordinates regional activities of the East-East Legal Committee.

Russia

St. Petersburg Psychological Crisis Center for Women
Larisa Korneva, Executive Director/Psychologist
Tel: 812 528 18 30
larisa@crisis.spb.su
The Psychological Crisis Center provides psychological and legal counseling to victims of domestic violence and other violent crimes.

Uganda

The Uganda Association of Women Lawyers (FIDA)
Jacqueline Asiimwe, Publicity Officer
Plot 54 Bukoto Street, Kamwokya
PO Box 2157
Kampala
Tel: 256 41 530 848
FIDA provides families with legal advice, garners support and protection of women and children so that they may attain effective protection under the law, and supports the advancement of all Ugandans by lobbying for sound economic legislative reform. FIDA is attempting to transform Uganda's traditional society into one that is more equitable toward both men and women.

Uganda Gender Resource Centre
Kampala

Established in 1992, the Centre focuses particularly on the position of women in rural communities. Most of its work is consultancy-based, involving the training of groups or communities in gender and social issues. It also undertakes education on the law, and has issued a voting rights pamphlet. Some paralegal training is undertaken in conjunction with the Action for Development organization, also based in Uganda.

United States

Equality Now
P.O. Box 20646, Columbus Circle Station
New York, NY 10023
Tel: 212 586 0906
Fax: 212 586 1611
equalitynow@igc.apc.org
Equality Now is an international human rights organization advocating protection for the rights of women and girls through public information, media events, and letter writing campaigns. The organization documents cases of abuse against women through its international coalition of activists, the Women's Action Network.

National Center for Women and Policing (NCWP)
Chief Penny E. Harrington, Director
8105 West Third Street
Los Angeles, CA 90048
Tel: 213 651 2532
Fax: 213 653 2689
The National Center for Women and Policing works to increase the leadership role of female law enforcement officials. At its annual conferences on policing, the NCWP holds seminars, workshops, and discussions on such topics such as increasing women in policing, innovation in policing, and personal development. The Center works to increase the number of women police officers in communities and to raise public awareness of the benefits of bringing women into policing. The Center also aims to decrease the use

of excessive force by police and to reduce violent crimes against women.

Urban Justice Center
Family Violence Project
Mary Haveline
New York, NY
Tel: 212 533 0540
The Family Violence Project works closely with domestic violence officers in the New York Police Department by accompanying them on domestic violence calls and conducting gender sensitivity training at the police academy. Since 1995, the project has staffed a city-wide hotline for domestic violence victims to report complaints about how they were treated by police. The hotline recieives 500-600 calls each year.

Foundations*

Germany

Konrad Adenauer Foundation
Tel: 49 2241 246 331;
Fax: 49 2241 246 508
www.kas.de/index.html
Based in Germany, with offices throughout Europe, Asia, Africa, the Middle East, Latin America, and North America, the Konrad Adenauer Foundation, with funding from the German government, aims to promote development and good governance through scientific and political education and support.

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* This directory has been prepared for the Ford Foundation and therefore does not include the role of the Foundation itself.

India

National Foundation for India (NFI)
Zone 4A, U6
New Delhi
Tel: 91 11 464 1864
The National Foundation for India attempts to guide socio-economic development through several community-based initiatives. Its program on Public Affairs and Urban Governance organizes forums to facilitate discussion between policy makers, concerned citizens' groups, and policy experts.

Russia

Open Society Institute
Representative Office in Russia
Prof. Inge B. Mikhailovskaya, Member of the Executive Board
13/17 B. Kozlovsky Per.
Moscow 107078
Tel: 095 928 46 32
Fax: 095 288 95 12

United States

The Edna McConnell Clark Foundation
250 Park Avenue, Room 900
New York, NY 10177-0026
Tel: 212 551 9100
The Edna McConnell Clark Foundation supports programs aimed at poverty alleviation. Grants are distributed to action-oriented programs designed to improve the institutions and services used by the poor, particularly community-based initiatives.

Echoing Green Foundation
Howard R. Swearer Center For Public Service
Peter Hocking, Director
25 George Street
Providence, RI 02912
Tel: 401 863 2338
Echoing Green is a non-profit foundation that provides seed money and technical support to social entrepreneurs starting innovative public service organizations

and projects that seek to catalyze social change.

German Marshall Fund of the United States
11 Dupont Circle, NW
Washington, DC 20036
Tel: 202 745 3950
The German Marshall Fund strengthens cooperation between scholars in the United States and Europe with the goal of improving understanding in the areas of economics, foreign affairs, employment policy, the environment, civic development, and human rights.

Open Society Institute
Center on Crime, Communities & Culture
888 Seventh Avenue, New York, NY 10016
Tel: 212 757 2323
Fax: 212 245 3429
osnews@sorosny.org
The goals of the Center on Crime, Communities & Culture are to foster a more informed and balanced national debate on crime, victim's concerns, punishment, and the rehabilitation of individuals and communities; to support and spotlight service programs that effectively address the needs of at-risk youth, juvenile offenders, victims, prisoners, as well as the families of these populations; and to encourage information sharing on successful criminal justice programs and policies across the United States and between the United States and other nations.

Stern Family Fund
P.O. Box 1590
Arlington, VA 22210-0890
Tel: 703 527 6692
Fax: 703 527 5775
The Stern Family Fund supports policy oriented government and corporate accountability projects in order to help guarantee the responsiveness of public and private institutions to citizens.

Providers of Technical Assistance and Training to Police Forces

Haiti

OAS-UN International Civilian Mission in Haiti (MICIVIH)
MICIVIH was created in February 1993 to observe the human rights situation in Haiti following the return of President Aristide. MICIVIH has worked closely with the government and police forces to reduce human rights abuses committed by the new Haitian National Police force. Additionally, it has produced a number of reports documenting the progress of the police force since its formation in 1995.

Hungary

International Law Enforcement Academy (ILEA)
Budapest
The U.S. Federal Bureau of Investigations, in partnership with the John Jay School of Criminal Justice, established ILEA in 1997. ILEA conducts training of mid-career law enforcement personnel from all of Eastern and Central Europe and Russia. Seminars at the academy focus on human dignity, legal systems, crime prevention, community policing, leadership, management, public relations, drug enforcement, financial crimes, intelligence gathering, corruption and ethics, forensics, firearms, and international crime.

United Kingdom

Department for International Development (DFID)
Geoff Bredemear, Police and Criminal Justice Adviser
94 Victoria Street
London SW1E 5JL
Tel: 44 0 171 917 0332
Fax: 44 0 171 917 0074

The DFID provides technical assistance and training to police in 37 countries. Current projects focus on strengthening organizational and management capacity, improving investigative skills, and introducing community policing, particularly in states under transition to democracy.

Developing Civilian Oversight of the Hungarian Police
Dr. Alan Wright, Principal Coordinator
CPSMR, Staffordshire University
Business School
Blackheath Lane
Stafford ST180AD
Tel: 44 1785 353770
Fax: 44 1785 225023
a.wright@staffs.ac.uk
This project was developed to consider effective methods of implementing systems of police accountability, civilian oversight, and redress of grievances in relation to the Hungarian police. The project seeks to make legal and constitutional recommendations for improving police accountability. The initiative was assisted by the Phare Programme (a European Union organization that provides finance and support to assist countries in Central and Eastern Europe).

Know How Fund
Derek Wright, Police Adviser for Hungary
31 The Meadows
Rainhill, Meyerside L35 0PQ
Tel: 44 0 151 426 0532
Fax: 44 0 151 426 1613
The Know How Fund assists reform-minded police professionals in various countries. Mr. Wright, the advisor for Hungary, works with the Deputy Commissioner for Public Security of the Hungarian National Police to design and implement a national community policing program.

United States

Anti-Crime Training and Technical Assistance Program (ACTTA)
Bureau of International Narcotics and Law Enforcement Affairs
U.S. Department of State
2201 C Street, NW
Washington, DC 20520
Tel: 202 736 4551
Fax: 202 736 4515
ACTTA was established in 1994 to help the New Independent States and Central Europe cope with crime and strengthen the rule of law. Through ACTTA, U.S. and NIS law enforcement agencies work together to combat international organized crime, financial crime, and drug trafficking.

Crime Mapping Research Center
Nancy La Vigne, PhD, Director
National Institute of Justice
810 Seventh Street, NW
Washington, DC 20531
Tel: 202 616 4531
Fax: 202 307 6394
lavigne@ojp.usdoj.gov
www.nlectc.org/cmrc/index.htm
Geographic information system (GIS) technology enhances the ability of researchers and practitioners to identify hot spots and analyze complex spatial patterns related to crime and criminal behavior. The CMRC promotes computerized crime mapping by evaluating best practices, GIS use in police departments, and current criminal justice applications and needs; and by developing training programs and a national geocoded data archive. CMRC staff are currently conducting a national survey of police departments to determine the extent to which they use analytic mapping. The survey results will guide the CMRC in the development of training and assistance programs.

International Criminal Investigative Training and Assistance Program (ICITAP)
Janice Stromsen, Director
Robert Perito, Deputy Director

U.S. Department of Justice
810 Seventh Street, NW, Suite 700
Washington, DC 20037
Tel: 202 653 9122
Fax: 202 653 2280
ICITAP provides training and assistance to police forces in dozens of countries around the world, including Panama, Haiti, Bosnia, and South Africa.

International Management and Police Training
Donna L. Hansen, Consultant
PO Box 247
Fort Myers, FL 33902
Tel/Fax: 941 656 1448

John Jay College of Criminal Justice
899 Tenth Avenue, Room 410T
New York, NY 10019
The John Jay College of Criminal Justice is sponsoring the forthcoming Fourth Biennial Conference on International Perspectives on Crime, Justice and Public Order Conference, to be held in Budapest, Hungary. The series of conferences is attended by both public and private organizations and officials who come to share relevant information about international policing. John Jay also provides a training seminar on policing and human dignity and, in collaboration with the Federal Bureau of Investigation, administers the International law Enforcement Academy in Budapest, Hungary.

National Defense University
Colonel Michael Dziedic
Fort Lesley McNair SW
Washington, DC 20319-6000
Tel: 202 685 2220
U.S. military and civilian specialists at NDU are working to develop a protocol and, possibly, a special reserve force for performing the duties of civilian police in post-conflict emergencies. Specially trained civilian police officers from various countries would comprise the reserve force.

National Law Enforcement and Corrections Technology Center (NLECTC)/Justice Technology Information Network (JUSTNET)
PO Box 1160
1600 Research Boulevard
Rockville, MD 20849-1160
Tel: 800 248 2742
JUSTNET provides law enforcement and corrections technology, equipment, and product and services information on-line. JUSTNET is maintained by the National Law Enforcement and Corrections Technology Center (NLECTC), a program of the National Institute of Justice.

Office of Professional Development and Training (OPDAT)
James Silverwood, Attorney
Criminal Division
U.S. Department of Justice
1001 G Street, NW, Suite 250
Washington, DC 20530
Tel: 202 514 1323
Fax: 202 616 8429
OPDAT has participated in several U.S. efforts to strengthen criminal justice systems in other states. OPDAT conducts training programs for prosecutors, defense attorneys, and police officers.

Legal Assistance Organizations and Prosecutors' Offices

Argentina

Coordination Against Police and Institutional Violence (CORREPI) (Coordinadora contra la Represión Policial e Institucional)
Maria del Carmen Verdu and Daniel Straga, Directors
Corrientes 1785, piso 2, C
Buenos Aires
Tel: 371 8066/8067
Lawyers at CORREPI represent victims of police abuse and their families in civil proceedings and assist public prosecutors in bringing legal action against police accused of abuse. CORREPI is supported by more than 600 members, many of them students, who mobilize public protests against police brutality and impunity.

Brazil

Human Rights Committee (Commissão de Direitos Humanos), Brazilian Bar Association (Ordem dos Advogados do Brasil)
São Paulo Section (*Seccão de São Paulo*)
Jairo Gonçalves da Fonseca, Vice President
Praça da Sé – 4 andar
CEP 01001-902
São Paulo
Tel: 55 11 239 5122
Fax: 55 11 606 1726
Members of the bar association's human rights committee provide *pro bono* legal assistance to victims of police violence and their families. The committee has organized a support group for victims and their families that meets regularly. The director of the committee participates in policy debates concerning police reform and ways to strengthen police accountability.

Santo Dias Center for Human Rights (Centro Santo Dias de Direitos Humanos)
Arquidiocese de São Paolo
Beatriz Sinisgalli, Attorney
Rua Venceslau Bras, 78
2 andar, conj. 20
Sao Paolo, SP 01016-000
Tel: 55 11 34 5004
Since 1979, the Santo Dias Center has been working to reduce police violence and other injustices suffered by Brazil's marginalized population. The Center advocates the removal of police from the jurisdiction of military courts. Lawyers working at the Center provide legal assistance to victims of police abuse.

Philippines

Free Legal Assistance Group (FLAG)
Maria Socorro Diokno, Director
204 Cabrera II Building
64 Timog Avenue
Quezon City
Tel: 63 2 986 392
Fax: 63 2 817 5410

Russia

St. Petersburg Institute of Law
General Procurator's Office, Russian
Federation
Valeri V. Novik, Procurator, Associate
Professor
44, Liteiny prospekt
St. Petersburg 191104
Tel: 812 279 80 17 / 812 272 51 40
Fax: 812 279 80 21
The Institute trains all members of the
federal prosecutorial service (procuracy).

United Kingdom

Police Action Lawyers Group
Sadiq Khan, Solicitor
Christian Fisher Solicitors
42 Museum Street, Bloomsbury
London WC1A 1LY
Tel: 44 71 831 1750
Fax: 44 71 831 1726
The solicitors of this firm represent
victims of police abuse and advocate
legislative and administrative reforms.
They have submitted evidence to the
Home Affairs Select Committee
recommending the creation of an
independent civilian complaints
procedure.

United States

American Prosecutors Research Institute
Heike P. Gramckow, Director of Program
Development
99 Canal Center Plaza, Suite 510
Alexandria, VA 22314
Tel: 703 549 4253
Fax: 703 549 6259

*Asian American Legal Defense & Education
Fund (AALDEF)*
Margaret Fung, Director
99 Hudson Street, 12th Floor
New York, NY 10013
United States
Fax: 212 966 4303
AALDEF@worldnet.att.net
AALDEF defends and promotes the legal
rights of Asian Americans through
litigation, legal advocacy, community
education, leadership development and
the provision of free legal assistance to
low-income and immigrant Asian
Americans.

Asian Law Caucus, Inc.
Paul M. Igasaki, Director
468 Bush Street, 3rd Floor
San Francisco, CA 94108
(415) 391-1655
Providing legal and educational services in
English and seven Asian languages, the
Asian Law Caucus targets its assistance to
low-income Asian Pacific Americans. The
organization works in the areas of civil
rights, housing, employment,
immigration, and the rights of the elderly.

Center for Justice in International Law
Ariel Dulitsky
1522 K Street, NW, Suite 1034
Washington, DC 20005
Tel: 202 842 8630

*Lawyers Committee for Civil Rights under
Law*
1450 G Street, NW
Washington, DC 20005
Tel: 202 662 8600
Fax: 202 783 0857
The Lawyers Committee for Civil Rights
under Law represents plaintiffs in
individual and class-action discrimination
suits connected to such areas as voting
rights, education, employment, and
environmental protection.

National Conference of Black Lawyers
Aton Archer
2 West 125th Street

New York, NY 10027
Tel: 212 864 4000
Fax: 212 222 2860
Founded in 1968, the National Conference of Black Lawyers is an organization of legal professionals who provide legal services to progressive African-American organizations. NCBL's activities include exposing discrimination based on race, class, gender and sexual orientation in the imposition of criminal sanctions; education and advocacy work in opposition to the death penalty; representation of political prisoners; and representation of victims of and communities affected by police violence.

Native American Rights Fund
1506 Broadway
Boulder, CO 80302
Tel: 303 447-8760
http://www.narf.org/
The Native American Rights Fund provides legal representation to Native Americans, often in cases where groups are embroiled in legal battles with government at the local, state, or federal level. The organization devotes particular attention to demanding that government bodies fulfill the terms of treaties they have signed but failed to honor.

Official Corruption Unit
New York County District Attorney's Office
William Burmeister, Chief
One Hogan Place
New York, NY 10013
Tel: 212 343 7240
Fax: 212 343 7238
The Official Corruption Unit is responsible for prosecuting police officers accused of corruption and, occasionally, brutality.

Police Watch
Police Misconduct Lawyer Referral Service
611 S. Catalina Street, Suite 409
Los Angeles, CA 90005-9998
Hotline: 213 387 3325
Tel: 213 387 3435
Fax: 213 387 9085

Police Watch provides consultation and assistance in filing claims for damages against police. They also provide referrals to a panel of private attorneys for representation in cases involving police misconduct.

Public Interest Law Center of Philadelphia
The Police Project
125 South Ninth Street, Suite 700
Philadelphia, PA 19107
Tel: 215 627 7100
Fax: 215 627 3183
The Public Interest Law Center of Philadelphia promotes fair treatment for children, minorities, individuals with disabilities, and victims of abuse and discrimination. The PILC has led may initiatives to increase police accountability and to improve the quality of police services. PILC's work has resulted in regulations restricting the use of deadly force; Philadelphia's Civilian Review Board; an increase in the number of minority and female officers on the force; the Coalition for Police Accountability; and a 24-hour Police Misconduct Hotline and Lawyer Referral Service.

U.S. Department of Justice
Civil Rights Division, Special Litigation Section
Robert J. Moosey, Jr., Attorney
10th & Pennsylvania Avenue, NW
Washington, DC 20530
Tel: 202 514 6247
Both criminal and civil cases are brought by this division of the DOJ, which specializes in violations of 42 U.S.C. § 14141 which prohibits state and local law enforcement officers from engaging in a "pattern or practice of conduct" that deprives persons of rights protected by the Constitution or laws of the United States. The remedy in such an action is injunctive relief, but there is no remedy for the individual. The section accepts written complaints for reported violations of both the criminal and civil statutory provisions mentioned above.

U.S. Department of Justice
Thomas Perez, Deputy Assistant Attorney
General for Civil Rights
950 Pennsylvania Avenue, NW, Room
5746
Washington, DC 20530
Tel: 202 514 3828
Fax: 202 307 2572
As deputy chief of the Criminal Section
from 1994 to 1995, Mr. Perez supervised
the prosecution of federal criminal civil
rights laws and instructed courses in trial
advocacy and criminal civil rights
prosecutions at the Attorney General's
Advocacy Institute. Mr. Perez has brought
several prosecutions against law
enforcement and border patrol personnel
for civil rights violations. In January 1998,
Mr. Perez was named Deputy Assistant
Attorney General for Civil Rights.

International and Intergovernmental Associations

Council of Europe
Peter Leuprecht, Deputy Secretary General
67065 Strasbourg Cedex
France
Tel: 33 3 88 41 28 93
Fax: 33 3 88 41 27 89
The Council of Europe, which was
established in 1949 and has 40 member
countries, launched a three-year program
for human rights awareness in May 1997.
"Police and Human Rights 1997-2000" is
based on previous work with senior police
officers indicating the need to coordinate
European action. Its aim is to allow all
police officers in Council of Europe
member states access to proper
information about human rights
standards. The Council is also developing
human rights educational support
programs and quality controls to prevent
police misconduct.

Inter-American Development Bank (IDB)
Cristina Biebeshamer
1300 New York Avenue, NW
Washington, DC 20477
United States
Tel: 202 623 2541
Fax: 202 623 3029
The Inter-American Development Bank
finances projects throughout Latin
America and the Caribbean that aim to
strengthen civil society. The IDB is
currently working with the Inter-American
Dialogue, a Latin America-focused policy
institute, to review the economic and
social impact of institutional violence.

*International Association for the Civilian
Oversight of Law Enforcement (IACOLE)*
Mark A. Gissiner, President
801 Plum Street
Cincinnati, OH 45202
United States
Tel: 513 352 6240
Fax: 513 624 8042
IACOLE1@gnn.com
IACOLE was established in 1983 to
improve civilian oversight of law
enforcement and to address complaints of
force and deadly force by law enforcement
authorities. The Association holds annual
international conferences and publishes a
compendium of civilian oversights
authorities around the world.

International Association of Chiefs of Police
515 N. Washington St.
Alexandria, VA 22314-2357
United States
Tel: (703) 836-6767 / 1-800-THE IACP;
Fax: (703) 836-4543
Founded in 1893, the International
Association of Chiefs of Police (IACP)
works to advance policing innovations as a
center for research, information-sharing,
and training. The IACP currently has
some 16,000 members in 94 countries;
its leadership is composed of chief
executives from various law enforcement
agencies around the world.

International Association of Law Enforcement Planners (IALEP)
1000 Connecticut Avenue, NW, #9
Washington, D.C. 20036
United States
Tel: 202 857 8485
Fax: 305 7615645
IALEP is a source of information concerning recent developments, issues, problems, and solutions in the fields of criminal justice. IALEP serves as a forum for the exchange of ideas, programs, techniques, and policies associated with criminal justice. It provides abstracts of current projects and produces a newsletter devoted to the field of criminal justice.

International Association of Directors of Law Enforcement Standards and Training (IADLEST)
Ray Franklin
United States
Tel: 410 203 1000
IADLEST shares information, ideas, and innovations that assist states in the development of standards for the employment and training of police officers. IADLEST has developed a set of minimum standards for officer professionalism and has published a guide that provides descriptive and statistical information regarding state law enforcement training and standards, the *Sourcebook of Standards and Training Information in the United States.*

International Police Association
Armand Jaminet, International President
Germany
The IPA, formed in 1950, forms a social, cultural, and professional link among law enforcement officials around the world. The IPA's International Conference Centre at Gimborn Castle in Germany hosts seminars on police–related topics. The IPA sponsors numerous programs promoting social and cultural exchange between national sections of the association for members and their families. The IPA is an NGO with

Consultative Status (Roster) with the Economic and Social Council of the United Nations and also has Consultative Status with the Council of Europe.

International Police Executive Symposium
Professor Dilip K. Das, Director
Law Enforcement and Justice
Administration Department
Western Illinois University
Macomb, IL 61455
United States
Tel: 309 298 1038
Fax: 309 298 2187
DK-Das@wiu.edu
The IPES was founded in 1994 to facilitate and encourage an international exchange of academic and professional views on current policing issues. To date, IPES has organized four international symposia: *Police Challenges and Strategies: A World Perspective; Challenges of Policing Democracies: A World Perspective; Organized Crime: A World Perspective;* and *International Police Cooperation: A World Perspective.* The 1998 symposium on *Crime Prevention: A World Perspective* is scheduled to be held in The Hague, Netherlands on June 2-5. An executive summary and book of papers and discussions are published after each symposium.

International Society of Crime Prevention Practitioners (ISCPP)
266 Sandy Point Road
Elmenton, PA 16373
United States
Tel: 412 867 1000
Fax: 412 867 1200
ISCPP supports a network of crime prevention practitioners who provide leadership, foster cooperation, encourage information exchange, and extend and improve crime prevention education and programs internationally.

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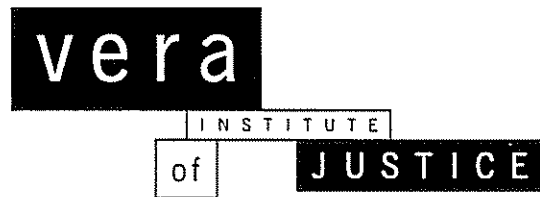
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This guidebook provides a basis for the training of police officials on human rights issues in the member States of the Council of Europe. The first half of the publication details the regulations covering police functions in the European Convention on Human Rights. Using a question and answer format, the second recommends police training techniques on such issues as arrest, searches, interrogation, surveillance, and use of force. The appendices feature a number of key human rights documents, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Council of Europe's Declarations on the Police.
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Alpert, Geoffrey P. and Roger G. Dunham. *Policing Urban America.* 3rd ed. Prospect Heights, IL: Waveland Press, 1997.
The authors write that "the purpose of this book is to bridge the gap between the fiction and the fact of police and policing." The fiction, according to the authors, is fabricated by sensationalistic, inaccurate media accounts and the limited personal experience of citizens with police officers. The authors seek to present the fact of policing in the United States through an examination of the history of the police and various contemporary issues, including selection and training, administration, police culture and deviance, styles and hazards of policing, and

"critical issues" such as the hiring of women and minorities and the use of force. Each chapter contains a brief "Chief's Corner," in which Chief Dale Bowlin of Miami offers a practitioner's view of the issues at hand. The book concludes with chapters on the future of policing and careers in law enforcement, which are increasingly determined according to officers' educational achievement.
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The ACLU categorize this report as a "manual" to provide practical assistance to those fighting police misconduct, particularly from a community-based, as opposed to litigation-based perspective. The manual is easy to read and pragmatic in its approach, highlighting those issues that are important (and those issues which are distractions) for community leaders trying to effectively fight police misconduct. Nine goals are set out, followed by six strategies for achieving those goals, including the building of coalitions, and the use of open record laws. Specific case samples, that support the approaches that are recommended, are dispersed throughout the manual.
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Anderson uses this paper to examine the sometimes hostile relationship between the police and the press, arguing that it both generates public misinformation and prevents the adequate confrontation of police wrongdoing. He proposes that the two institutions have much in common, safeguarding certain fundamental rights such as freedom from fear and freedom of speech. He argues that dialogue between the two will result in a better-informed public, greater community support for the police, and more active encouragement for the process of professionalization.
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This anthology traces the effect of social context on police work around the world, arguing that the two are strongly linked. Deborah L. Jakubs examines the Death Squads in 1960s Brazil in terms of the interaction between politics and public values; Lawrence W. Sherman lays out a set of requirements for the reduction of corruption in U.S. police departments; James Leo Walsh examines

the relationship between police behavior and career aspirations in England; and David H. Bayley links contextual variables to aspects of policing such as accountability, use of force, and misbehavior in the U.S.
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In *Police for the Future*, Bayley explores the choices and problems faced by the field of policing in democratic countries, examining why the police have not been more successful in preventing crime, whether it is possible to increase the deterrent effect of the police, and where the advantages and disadvantages of change lie. Based on research performed in Australia, Great Britain, Canada, Japan and the U.S., Bayley makes an argument for reform and change based on the premise that police *presence* alone cannot prevent crime. He provides an overview of police operations, resources and structure as they currently stand in these countries, and then goes on to show how these fit into a plan for an effective prevention-oriented police force that is compatible with democratic institutions and values.
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This document results from a 1996-1997 Phare Programme project aimed at promoting and developing systems of police accountability in Hungary. It attempts to define and evaluate aspects of policing in the European Union and apply them to the Hungarian context, with special attention to the institutional and consultative groundwork necessary for the development of accountability, civilian oversight, and human rights. The document examines structures of constitutional, organizational, and financial accountability in the Netherlands,

France, Germany, and Great Britain, and then goes on to focus on Hungary, arguing that the Hungarian police should abandon its military features and establish itself as a civilian, public administration organized around the principle of transparency. The report includes a chapter on police ethics and human rights, and offers a series of conclusions, proposals, and recommendations. [human rights/police management and administration/civilian review/Eastern Europe, Central Asia, Russia/Western Europe]

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Later: A Report to the Los Angeles Police Commission on the Los Angeles Police Department's Implementation of Independent Commission Recommendations, 1996. This report, prepared by a group of lawyers from two Los Angeles firms, assesses the success of the Los Angeles Police Department in implementing the reforms advocated by the Christopher Commission in July 1991. The Christopher Commission report, prepared in response to the Rodney King beating of March 3, 1991, concluded that the department must significantly improve management and accountability in order to curtail racism and "ugly incidents." In five chapters, the five year report examines use of force practices, racism and bias, complaints and discipline, monitoring, supervision and accountability, and structural issues. The authors conclude that while "today's LAPD has changed since 1991 in certain positive ways," the department has become increasingly "fragmented" and "has not under-gone reform to the extent that was possible or required." The authors advocate "more focused, deft, and efficient internal management" in order to speed the pace of reform.
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Bouza, the former Police Chief of Minneapolis and Commander of Police in the Bronx, examines organizational and personnel issues within police departments, as well as the role of the police in America's criminal justice system and society at large. Bouza argues that the American "overclass" hypocritically ignores the sociological roots of "underclass" crime—poverty, racism, lack of public services—even as it demands police action to combat this crime. At the same time, Bouza advocates a tough approach to "quality of life crimes" and a series of managerial innovations to make police departments more effective. He also calls for increased communication between traditionally insular police departments and the public, such that police accountability to poor communities is enhanced and the middle and upper classes are given a better sense of the reality of contemporary crime and policing.
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The Police, Public Order, and the State links policing to the nature and project of the State, and positions the changing nature of police-state relations in Britain in an international and comparative context by examining the cases of six other countries. The authors argue that police in Britain have played an increasingly interventionist role in social and political conflict, organized around paramilitarism, centralization and partisanship. Devoting a chapter to each national context, they examine issues of structure, organization, financing, authority, relations with the military, public perceptions of the police and public order. The second edition reflects the political changes and developments since 1988 (1st edition), including the collapse of apartheid, the Middle East peace process, and the IRA ceasefire in Northern Ireland.
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Brogden and Shearing work from the premise that reform of police institutions is central to the promotion of liberty in post-apartheid South Africa. They provide a critique of policing under apartheid and an examination of the discourses that sought to legitimize it. They also refute the notion that forms of policing from the West can simply be imported to replace these structures. Rather, they propose a conception of "dual policing," neither centralized nor decentralized, with the aim of promoting dialogue between the state and local communities—a form of policing they argue is appropriate for a new South Africa.
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and community policing as policing philosophies and how police departments
make the transition from focusing purely on crime prevention to incorporating
aspects of community policing. Eight case studies are made from police
departments in the United States and the various ways in which community
links have been forged in different states are examined. In analyzing how the
two philosophies have co-existed effectively, certain features are highlighted,
such as the importance for crime prevention specialists of tailoring their efforts
to the needs of the specific community. The paper ends not with conclusions—
since it postulates that there is no one way to have effective community policing
and crime prevention—but with four questions which police departments
should answer for themselves to determine how they may best start devising a
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[community policing/crime prevention]

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Police Use of Force: Collection of National Data, Bureau of Justice Statistics. Washington,
DC.
This report is produced in accordance with a 1994 crime law enacted by
Congress, which requires the Attorney General to publish an annual summary
of data on the use of excessive force by law enforcement officers. The 1997
report (published in November) describes the results of the Police-Public
Contact Survey, in which a nationally representative sample of 6,241 persons age
12 or over were questioned about their interactions with the police. Based on
survey results, the report states, "a preliminary conclusion which could be drawn
is that use of force is rare in police-citizen contacts and it is often accompanied,
according to the self-reports of respondents, by some possibly provocative

behavior." The report describes data collection innovations that have been developed by the National Police-Use-of-Force Database Project, and includes a sample copy of the Police-Public Contact Survey.
[North America/police brutality/public relations]

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Policing South Africa examines the role of the police in South Africa from the 1960s to the De Klerk era, and analyzes their position in the transition from apartheid to democracy. Cawthra provides an historical study of the structure, composition, and methods of the South African Police Service (SAPS) and charts police killings in custody and public confrontations. The book highlights the challenge faced by the new South African government to transform the SAPS into a force that is accountable to the public at large.
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[Middle East, North Africa, West Africa/police training]

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NJ: Prentice Hall, 1997.
[community policing]

Chan, Janet B. L. *Changing Police Culture: Policing in a Multicultural Society*. Cambridge:
Cambridge University Press, 1997.
Drawing on the results of a detailed study of the new South Wales Police Service,
the largest of Australia's eight police forces, Chan critically analyzes strategies of
police reform in terms of police leadership, culture, and accountability. After
presenting a historical and sociological evaluation of police racism in Australia,
the author assesses both top-down and bottom-up, "community-based"
approaches to reform. Each of these approaches, she argues, is unlikely to
produce significant change on its own, as demonstrated by the frustration of
reform attempts in the New South Wales Police Service. Chan uses case studies
from the department to "highlight the limits and possibilities of change," and
argues for an alternative approach to police reform in which community-based
reforms "must be accompanied by appropriate structures of police accountability
and legal regulation, as well as social reforms."
[Asia Pacific/minorities/public relations]

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Edge of the Knife is a comparative study of police violence in urban areas of North
and South America, focusing on New York, Los Angeles, São Paulo, Rio de
Janeiro, Buenos Aires, Kingston, and Mexico City. The book empirically details
use of torture and deadly violence in routine policing activity, examines the
circumstances in which violence is used, relates those circumstances to the
society in which they occur, discusses how violence might be controlled, and
charts the successes and failures of institutions of accountability.
[Latin America/North America/police and violence/police misconduct/police
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In this book, Paul Chevigny examines cases of assault, false arrest, unlawful searches, summary punishment, and deliberate framing on the part of the New York Police Department in 1966 and 1967. Detailing dozens of reports of police misconduct he investigated while working with the New York Civil Liberties Union (NYCLU), Chevigny argues that the aim of *Police Power* is to establish that a problem actually exists. He holds not only the police department and the court system but also the public at large accountable. The book also includes chapters on mass police action, systematic harassment, and potential remedies for the problem.
[North America/police misconduct]

Chevigny, Paul B. "Deadly Force As Social Control: Jamaica, Argentina and Brazil." *Criminal Law Forum* 1, no. 3 (1990): 389-425.
[police and violence/police brutality/Latin America]

———. *Human Rights in Jamaica.* New York: Americas Watch, 1986.
[human rights/civil rights/North America]

———. "The Police in Comparative Perspective." Paper presented at *Annual Meeting of the Latin American Studies Association,* Guadalajara, Mexico, April 17-19.
[comparative studies]

Chicago Community Policing Evaluation Consortium. *Community Policing in Chicago, Year Four: An Interim Report,* Illinois Criminal Justice Information Authority, Chicago, 1997.
The fourth in a series of evaluations of community policing in Chicago, this report assesses the Chicago Alternative Policing Strategy (CAPS) initiative after four years of implementation. Since its creation in 1993, the program has been steadily expanded to districts throughout the city and the department has codified many of its organizational innovations. The report discusses declining crime rates in Chicago, degrees of public awareness and participation in community policing, and implementation of the CAPS program throughout the city. It also reviews approaches to problem solving employed by officers and districts which have integrated CAPS into their approach to policing, and describes special initiatives undertaken by the department under the rubric of CAPS. The report offers statistical analyses and multiple interviews with officers and community residents.
[community policing/North America]

———. *Community Policing in Chicago, Year Two: An Interim Report,* Illinois Criminal Justice Information Authority, Chicago, 1995.
[community policing/North America]

Clark, Roger S. *The United Nations Crime Prevention and Criminal Justice Program.* Philadelphia: University of Philadelphia Press, 1994.
[criminal justice, administration of/crime prevention]

Cohen, Howard and Michael Feldberg. *Power and Restraint: The Moral Dimension of Police Work*. New York: Praeger, 1991.
[morale and ethics/North America]

Commission to Investigate Allegations of Police Corruption and the Anti-Corruption Procedures of the Police Department. *Mollen Commission Report*, Commission to Investigate Allegations of Police Corruption and the Anti-Corruption Procedures of the Police Department, New York , 1994.
This report by the Mollen Commission on the NYPD finds that police corruption is a "serious problem confronting [New York City]" despite the fact that the vast majority of police officers respect the law. It examines factors that contribute to patterns of corruption—police involvement in the drug trade in particular. The report goes on to chart the collapse of anti-corruption controls, citing causes that range from lack of resources to lack of integrity training, and arguing that this collapse not only fails to uncover but actually fuels corruption. However, the report predicts that transformation into a department free of corruption is possible and recommends the establishment of a permanent independent oversight body to facilitate this process. It also suggests a wide range of reforms and a new approach to combating corruption, focusing on detection and prevention.
[North America/police corruption]

Community Relations Service. *Principles of Good Policing: Avoiding Violence Between Police and Citizens*. Washington, DC: Community Relations Service, U.S. Dept. of Justice, 1987.
[police management and administration/public relations]

Cosgrove, Colleen and Jerome E. McElroy. *The Fixed Tour Experiment in the 115th Precinct: Its Effects on Police Officer Stress, Community Perceptions, and Precinct Management*, Vera Institute of Justice, New York, 1986.
This report details a study of a fixed (steady) tour system, instituted in the 115th police precinct in Queens, New York. The system was designed to reduce stress by assigning patrol officers to steady, rather than rotating, tours. Also examined are the effects of the simultaneous deployment of a "platoon commander" for precinct management, as well as the community's perceptions of these changes.
[police patrol and deployment/alternative policing/North America]

Cotton, Judith and David Povey. "Police Complaints and Discipline: Deaths in Police Custody, England and Wales, April 1996 to March 1997." *Home Office Statistical Bulletin*, Government Statistical Service, London, 1997.
This is a statistical document relating to complaints against the police and deaths in police custody. Of 22,500 complaints, only 834 were substantiated and only approximately 200 for allegations of "oppressive" police conduct. Only 6 complaints of racially discriminatory behavior were substantiated over the entire year. There were 57 deaths in police custody, an increase on 14% over the previous year. For the first time the statistics revealed the ethnic origin of the

fatalities, revealing that 9.5% of the deaths were of Black people, who make up approximately 2% or the UK population.
[police brutality/police corruption/police misconduct/Western Europe]

Council of Europe. *Police Training Concerning Migrants and Ethnic Relations: Practical Guidelines*, Council of Europe, Strasbourg, France, 1994.
[police training/Eastern Europe, Central Asia, Russia/minorities/Western Europe]

————. *The Training of Judges and Public Prosecutors in Europe*, Council of Europe, Strasbourg, France, 1996.
[criminal justice, administration of/Eastern Europe, Central Asia, Russia/Western Europe]

————. *The Transformation of the Prokuratura into a Body Compatible With the Democratic Principles of Law*, Council of Europe, Strasbourg, 1994.
[police professionalization/Eastern Europe, Central Asia, Russia]

Couper, David C. *How to Rate Your Local Police*. Washington, DC: Police Executive Research Forum, 1983.
[civilian review]

Cox, Steven M. *Police: Practices, Perspectives, Problems*. Boston: Allyn and Bacon, 1996.
[North America]

Crank, John P. *Understanding Police Culture*. Cincinnati: Anderson Publishing Company, 1997.
[North America]

Cronin, Roberta C. *Innovative Community Partnerships: Working Together for Change*, U.S. Office of Juvenile Justice and Delinquency Prevention, Washington, DC, 1994.
[community policing/criminal justice, administration of]

Curtis, C., J. Henderson, and S. Pennell. *Guardian Angels: An Assessment of Citizen Reponse to Crime*, National Institute of Justice, Washington, DC, 1986.
[crime prevention/North America]

Dalton, Vicki and David McDonald. *Deaths in Custody and Custody-Related Police Operations*, Australian Institute of Criminology, Canberra, 1984.
[police brutality/Asia Pacific]

Danns, George K. *Domination and Power in Guyana: A Study of the Police in a Third World Context*. New Brunswick: Transaction Books, 1982.
[Latin America]

Dantzker, Gail, Arthur J. Lurigio, Susan Hartnett, and et al. "Preparing Police Officers for Community Policing: An Evaluation of Training for Chicago's Alternative

Policing Strategy." *Police Studies* 18, no. 1 (1995): 45-70.
[community policing/police training]

Das, Dilip K. "Police Challenges and Strategies: The Executive Summary of the International Police Executive Symposium." *Police Studies* 18, no. 2 (1995): 55-73.
[police management and administration/police professionalization]

————, ed. *Police Practice: An International Review.* Metuchen, N.J: Scarecrow Press, 1994.
Police Practices is a descriptive study of international comparative policing. Each of the five chapters focuses on one country, examining the same set of aspects of policing—including the philosophy of the police, functions, practices, leadership, standards, professionalization, morale, public relations, and restraints on the police—in each context. Each chapter also includes a section entitled "Problems of the Police," which tackles issues of police corruption, brutality, criminal and disciplinary offences, violence, and accountability.
[comparative studies/morale and ethics/police corruption/police misconduct/police professionalization]

————. *Policing in Six Countries Around the World: Organizational Perspectives.* Chicago: Office of International Criminal Justice, 1993.
Das examines aspects of policing in India, Australia, New Zealand, Canada, Germany and Finland, with an analytical focus on executive management. He provides an overview of the historical, political, and cultural contexts of policing in each of the countries, looking not only at broad issues of training and organization, but at the particular challenges faced by the police in different national settings. These issues include policing multicultural societies, handling complaints about alleged police misconduct, and negotiating relationships between policing and national politics.
[comparative studies/police training/police management and administration/police misconduct/minorities]

Das, Dilip K. and Otwin Marenin. *Challenges of Policing Democracies: A World Perspective.* Newark, NJ: Gordon and Breach, 1998.
[police management and administration/policing in political transition]

Dean, Geoff. "Police Reform: Rethinking Operational Policing." *Journal of Criminal Justice* 23, no. 4 (1995): 337-47.
[police professionalization]

DeGeneste, Henry and John P. Sullivan. *Policing a Multicultural Community.* Washington, DC: Police Executive Research Forum, 1997.
DeGeneste and Sullivan analyze the challenges faced by the police in increasingly multicultural communities, offering ways to address diversity and respond to both inter- and intra-group conflict. Taking as their premise that police actions can prevent open conflict, mitigate ethnic/racial tensions and build partnerships among diverse populations, they argue that community

policing offers the potential for "channeling police efforts towards the needs of diverse, multicultural communities." Among their recommendations are that police gain a contextual understanding of inter- and intra-ethnic conflict, embrace community input on crime and disorder, take strong measures against police misconduct, diversify their own ranks, and build non-traditional partnerships with minority organizations.
[community policing/minorities]

Delattre, Edwin J. *Character and Cops: Ethics in Policing*, 490. Washington, DC: American Enterprise Institute for Public Policy Research, 1989.
[morale and ethics/North America]

den Boer, Monica and Neil Walker. "European Policing After 1992." *Journal of Common Market Studies* 31, no. 1 (1993): 3-28.
[Western Europe]

Denis, Frank. *Management Training of Senior Police Officers: A Survey of Seven West-European Countries.* Budapest: Institute for Management Training and Police Research, 1995.
[police management and administration/police professionalization/Western Europe]

DeSantis, John. *The New Untouchables: How America Sanctions Police Violence.* Chicago: Noble Press, 1994.
[civil rights/police misconduct/North America]

Diedrichs, Otto, Mike King, Dorota Rowicka, and et al. "Problems of Police Development in Post-Socialist States." *Burgerrechte & Polizei CILIP* 55, no. 2 (1996): 4-40.
[police professionalization/police management and administration/Eastern Europe, Central Asia, Russia]

Dominguez, Andres and Domingo Sanchez. *Estudios Sobre El Control Democarico De Las Potestades Policiales.* Santiago: Centro de Estudios del Desarrollo, 1997.
[human rights/politics and government/Latin America]

Donner, Frank J. *Protectors of Privilege: Red Squads and Police Repression in Urban America.* Berkeley: University of California Press, 1990.
[police misconduct/North America]

Dunham, Roger G. and Geoffrey P. Alpert. *Critical Issues in Policing: Contemporary Readings.* 3rd ed. Prospect Heights, Ill: Waveland Press, 1997.
This volume of more than 600 pages contains 34 essays in eight major sections. "Introduction and Historical Overview" (Section I); "Selection, Training and Socialization" (Section II); "Management and Organization" (Section III); "Police Deviance: Corruption and Controls (Section IV); "Minorities in Policing" (Section V); "Community-Based Policing" (Section VI); "Use of Force" (Section VII); and "Hazards of Police Work" (Section VIII). The editors note in the

preface to this third edition of *Critical Issues* that they hope the book will help to promote a general "switch from holding police responsible for crime rates to holding them accountable for specific tasks and objectives and the general goal of law enforcement: promoting secure communities."
[minorities/North America/police corruption/police management and administration]

Eck, John E. and Nancy La Vigne. *Using Research: A Primer for Law Enforcement Managers*. Washington, DC: Police Executive Research Forum, 1994.
[crime/criminology]

Egan, Timothy. *Breaking Blue*. Thorndike, Me: Thorndike Press, 1992.
[police and violence/police corruption/North America]

Ewald, Uwe. *Social Transformation and Crime in Metrolpolisesof Former Eastern Bloc Countries: Findings of a Multi-City Pilot Study*. Berlin: Schriftenreihe der Kriminologischen Forschungsstelle Berlin am Kriminalwissenschaftlichen Institut der Humboldt-Universität, 1993.
[crime/Eastern Europe, Central Asia, Russia]

Farrell, Audrey. *Crime, Class and Corruption: The Politics of the Police*. London: Bookmarks, 1992.
[crime/Western Europe]

Findlay, Mark and Ugljesa Zvekic. *Analysing (In)Formal Mechanisms of Crime Control: A Cross-Cultural Perspective*. Rome: United Nations Social Defence Research Institute, 1988.
[Crime prevention/Crime]

Findlay, Mark, Ugljesa Zvekic, and United Nations Interregional Crime and Justice Research Institute. *Alternative Policing Styles: Cross-Cultural Perspectives*. Deventer, The Netherlands: Kluwer Law and Taxation Publishers, 1993. Bringing together the work of academics from eleven countries, *Alternative Policing Styles* is a cross-cultural examination of the dynamics of policing and the contextual specificity of (alternative) policing styles. Part I lays out conceptual and analytical issues, including an exploration of differing alternative policing styles and issues of structure, power, and context. Part II, which accounts for the majority of the book, is comprised of studies of alternative policing styles in rural Alaska, China, urban Indonesia, the Philippines, rural Peru, Brazil, Tanzania, Northern Ireland, South Africa, the former Yugoslavia, and Italy. Finally, Part III is an empirically-based analysis which returns to questions of policing style and context.
[comparative studies/alternative policing]

Frühling, Hugo, ed. *Determinants of Gross Human Rights Violations*, Klaber Publishers, 1997.
[human rights/Latin America]

———. "Judicial Reform and Democratization in Latin America." In *Fault Lines of Democratic Governance in Latin America*, edited by Felipe Aguero and Jeffrey Starck. Boulder: Lynne Reiner, 1997.
[Latin America/policing in political transition/criminal justice, administration of]

———. "Modalidades De La Represion Politica En El Cono Sur De America Latina." In *Jaque a La Democracia: Orden Internacional y Violencia Politica En America Latina*, edited by Augusto Varas. Buenos Aires: Grupo Editor Latinoamericano, 1990.
[Latin America/police and violence/politics and government]

———. *Policia y Consolidacion Democratica En Chile*. Unpublished paper.
[Latin America/policing in political transition]

———. "Politicas Publicas y Seguridad Ciudadano En u Proceso De Paz: La Necesidad De Orden." Paper presented at *Inter-American Development Bank Conference* November, 1996.
[crime prevention/Latin America/policing in political transition]

———. "Seguridad Ciudadana." In *Santiago, Una Ciudad Para Vivir*, Santiago: Instituto Chileno de Estudios Humanisticos, 1994.
[crime prevention/Latin America]

———. "Seguridad Ciudadana En Chile: Mitos y Realidades." In *Administracion y Politica Metropolitana*, edited by Augusto Bolivar, Rene Caulomb, and Carmen Munoz. Mexico City: Universidad Autonoma Metropolitana, 1994.
[Latin America/human rights/victims of crimes]

Frühling, Hugo, Gloria Alberti, and Felipe Portales. *Organizaciones De Derechos Humanos De América Del Sur*. San José, Costa Rica: Instituto Interamericano de Derechos Humanos, 1989.
[human rights/Latin America]

Frühling, Hugo and Luis Sandoval. "Distribucion Espacial De La Actividad Delictual En El Gran Santiago: Algunos Factores Exlicativos." *Estudios Sociales* 90, no. 4 (1996): 137-59.
[Latin America]

———. *Percepciones De Inseguridad y Realidad Delictiva En Tres Comunas Populares De Santiago*. Woodrow Wilson International Center for Scholars Working Paper Series, no. 226 ed.1997.
[crime/Latin America]

Frühling, Hugo and Patricio Orellana. *Derechos Humanos y Democracia: La Contribución De Las Organizaciones No Gubernamentales*. Santiago, Chile: Instituto Interamericano de Derechos Humanos, 1991.
[human rights/Latin America]

Frühling, Hugo and Rafael Blanco. "Police Use of Force: Individuals, Situations, and Organizations." In *Seguridad Ciudadana. Politicas Publicas*, edited by Rafael Blanco, Hugo Frühling, and Eugenio Guzman. Santiago: Universidad Nacional Andres Bello, 1995.
[Latin America/politics and government]

Friedmann, Robert R. *Community Policing: Comparative Perspectives and Prospects.* New York: St. Martin's Press, 1992.
The author endeavors "to put the vast amount of experiments, experiences, plans and concepts relevant to community policing into some relevant framework" with a theoretical treatment and four country case studies. Particular attention is given to the relationship between communities and police forces, and the impact of this relationship on crime and police effectiveness. "In a sense," writes the author, "community policing can be seen as a need to reexamine the role of communities in our everyday life." The second half of the book is largely devoted to case studies of community policing in Canada, England, Israel, and the United States. The book ends with two chapters on current trends and future prospects for community policing. Friedman argues for a "more narrowly and realistically defined" approach to community policing, with special emphasis on improving officer training and intra-agency cooperation.
[community policing/comparative studies]

Friedrich, Robert J. "Police Use of Force: Individuals, Situations, and Organizations." In *The Annals of the American Academy of Political Science*, 82-97. 1980.
[police use of force]

Fu, Hualing. "A Bird in the Cage: Police and Political Leadership in Post-Mao China." *Policing and Society* 4, no. 4 (1994): 277-91.
The author discusses changes in policing in China since the late 1970s, arguing that even as China has evolved into a "post-revolutionary society," Chinese police continue to be subject to onerous and harmful political control. Indeed, writes Fu, "for the police, the interference from local political leaders has been the most serious problem facing their daily work." Fu argues that the Chinese "war on crime" has been ineffective and has damaged police-community relations. He notes further that local political and financial control of police leads to inappropriate employment of officers for "non-police work" such as distributing birth control or killing dogs. As a result, resources are diverted from crime fighting measures and local police are generally viewed as political instruments rather than objective enforcers of the law. Fu advocates greater independence for local departments, with elected chiefs, financial independence, and reorganized stations. While some movement toward these reforms has taken place, the author remains convinced that "policing is too sensitive an issue for the party to loosen its control, and any attempt to readjust this established arrangement and to reduce the party's general control does not seem possible in the near future.".
[East Asia, South and Southeast Asia/politics and government/police professionalization]

————. "Police Accountability: The Case of the People's Republic of China." *Police Studies* 14, no. 3 (1991): 140-151.
[police management and administration/police professionalization/East Asia, South and Southeast Asia]

Fyfe, James, ed. *Police Management Today*. Washington, DC: International City/County Management Association, 1985.
[police management and administration/North America]

Fyfe, James J. *Police Practice in the '90s: Key Management Issues*. Practical Management Series. Washington, DC: ICMA, 1989.
[police management and administration/police training/North America]

————. *Readings on Police Use of Deadly Force*. Washington, DC: Police Foundation, 1982.
Bringing together the perspectives of government officials, police practitioners, and academic criminologists, this anthology aims to provide information on deadly force policies and practices in the United States. The book is divided into four main sections: the first presents information on the frequency of police deadly force; the second addresses the controversial issue of shooting suspected fleeing felons; the third analyzes the disproportionate number of minorities shot by the police; and the last examines internal police department policies on deadly force and firearms. Most of the statistics pertain to the 1970s.
[minorities/police and violence/police shootings]

Gaines, Larry K., Mittie D. Southerland, and John E. Angell. *Police Administration*. New York: McGraw Hill, 1990.
[police management and administration]

Galeotti, Mark. "Perestroika, Perestrelka, Pereborka: Policing Russia in a Time of Change." *Europe-Asia Studies* 45, no. 5 (1993): 769-86.
[Eastern Europe, Central Asia, Russia/policing in political transition]

Ganesan, Arvind, Patricia Gossman, Human Rights Watch (Organization), Human Rights Watch Children's Rights Project, and Human Rights Watch/Asia. *Police Abuse and Killings of Street Children in India*. New York: Human Rights Watch, 1996.
This report documents police abuse of street children in India, including instances of illegal detention, torture, beatings, extortion, and custodial deaths. Based on interviews with street children, members of non-governmental agencies, social workers, human rights activists, lawyers, and individuals who work with street children, the report critiques the "culture of police violence," the lack of safeguards for street children, the non-implementation of existing safeguards, and police impunity in India. It also offers a set of recommendations for the Indian government, the United Nations, and non-governmental organizations to ameliorate the situation.
[human rights/police and violence/use of force/torture/East Asia, South and

Southeast Asia]

Garofalo, James and Maureen McLeod. *Improving the Use and Effectiveness of Neighborhood Watch Programs.* Washington, DC: National Institute of Justice, 1988.
[alternative policing/North America]

Geller, William A. *Local Government Police Management.* 3rd ed. Washington, DC: International City Management Association, 1991.
[North America/police management and administration]

————, ed. *Police Leadership in America: Crisis and Opportunity.* Chicago: American Bar Foundation, 1985.
With contributions from some three dozen authors, this 520-page volume focuses on "the varied practical challenges confronting those who will hold leadership positions in the police field during the next several decades." Part 1 addresses the role of police chiefs as municipal policymakers; Part 2 examines the police chief's relationship with local communities; Part 3 discusses police chief-media relations; Part 4 explores disciplinary roles and challenges; Part 5 examines the relationship between the police chief and the legal system; Part 6 discusses the impact of police unions on departmental leadership; Part 7 deals with crime control issues; and Part 8 explores efforts to professionalize police forces. The sections are generally organized such that writers address each other's points in an introduction-response-rejoinder format. The book contains an extensive reference section and indexes.
[North America/police management and administration/public relations]

Geller, William A. and Guy Swanger. *Managing Innovation in Policing: The Untapped Potential of the Middle Manager.* Washington, DC: Police Executive Research Forum, 1995.
Geller and Swanger examine why "so many managers and management advisors in policing and other arenas believe the middle manager is a speed bump on the road to progress," and outline a potentially supportive role for middle managers in implementing community policing reforms. The book discusses the basic elements of community policing, the traditional role of middle managers within police departments, and examples of the redefined roles middle managers are playing where community policing is successful. The authors assert that middle managers are especially well-positioned to "reinvent the department's infrastructure" through reforms in areas such as recruitment, training, performance appraisal, public information, and shift scheduling. They conclude that while middle managers have "the power to subvert" reform efforts, they possess in equal measure "the capacity to help," given effective incentives, training, and departmental leadership.
[police management and administration/police professionalization]

Geller, William A. and Michael Scott. *Deadly Force: What We Know.* Washington, DC: Police Executive Research Forum, 1992.

Geller and Scott survey empirical research into use of deadly force by and against police in the United States in an attempt to describe the current state of knowledge about the issue. They summarize already published data, present previously unpublished data—including FBI data on justifiable homicides by police nationwide—and chart the race and ethnicity of both officers and suspects involved in shootings. They also use demographic information in order to contextualize shooting tallies. *Deadly Force* features an extensive bibliography. [use of force/police shootings/North America/police and violence]

Geller, William A. and Hans. Toch. *Police Violence: Understanding and Controlling Police Abuse of Force*. New Haven: Yale University Press, 1996.
Representing the perspectives of scholars, police managers, administrators, advocates, expert witnesses, and media commentators, this anthology attempts to generate solutions to the problem of police violence in both a theoretical and practical capacity. The book's argument is that it is possible to address the concerns of all interested parties—civilians, communities, officers, police managers, advocates, public officials—without merely ascribing and assessing blame. Issues examined include race, public opinion, police culture, the law, innovations in law enforcement, accountability measures, and police department practices.
[police and violence/police misconduct/torture/East Asia, South and Southeast Asia]

Geller, William and Hans Toch, eds. *And Justice for All: Understanding and Controlling Police Abuse of Force*. Washington, DC: Police Executive Research Forum, 1995.
[police brutality/police misconduct/use of force]

Ghosh, Srikanta. *The Outcry of Police Brutality: An Analytical Study*. New Delhi: Ashish Publishing House, 1983.
[civil rights/East Asia, South and Southeast Asia/police brutality]

—————. *Torture and Rape in Police Custody: An Analysis*. New Delhi: Ashish Publishing House, 1993.
Ghosh addresses the widespread problem of police abuse of citizens in India. Beginning with a historical review of the practice of torture in India, the author describes a contemporary police system that routinely and severely violates the national constitution and the international human rights conventions to which India is a party. Numerous examples of torture, murder, and rape of detainees—many of whom are never charged with a crime—are detailed. Ghosh also discusses abuses perpetrated by militant organizations in the northeast of India, and finishes the book with an examination of the connection between police and political power. Accustomed to using police forces as an instrument of social control and electoral coercion, the Indian government, argues Ghosh, "has never allowed the police to function impartially." This political interference, he writes, presents the chief obstacle to significant police reform in India.
[police misconduct/police and violence/torture/East Asia, South and Southeast

Asia]

Ghosh, Srikanta and K. F. Rustamji. *Encyclopaedia of Police in India*. New Delhi: Ashish Pub. House, 1993.
This large volume is divided into three parts; the first titled "Crime and Criminals," the second "Criminal Law," and the third "Criminal Justice System." The book offers an exhaustive account of criminal justice issues in India. Along with social conditions and police practices, the volume examines forensic and legal issues, the penal system, and the juvenile justice system.
[criminal justice, administration of/East Asia, South and Southeast Asia/police management and administration]

Gibney, Mark, editor. *World Justice?: U.S Courts and International Human Rights*. Boulder: Westview Press, 1991.
[North America]

Glensor, Ronald W. and Alissa J. Stern. *Dispute Resolution and Policing: A Collaborative Approach Toward Effective Problem Solving*. Washington, DC: Police Executive Research Forum, 1995.
[police management and administration/police professionalization]

Gocking, Roger. "Ghana's Public Tribunals: An Experiment in Revolutionary Justice." *African Affairs* 95, no. 379 (1996): 197-223.
[South and East Africa/criminal justice, administration of]

Goldsmith, Andrew J. *Complaints Against the Police: The Trend to External Review*. Oxford: Oxford University Press, 1991.
[complaints against police/civilian review/police management and administration]

———. "What's Wrong With Complaint Investigations? Dealing With Difference Differently in Complaints Against Police." *Criminal Justice Ethics* 15, no. 1 (1996): 36-55.
[complaints against police/criminal justice, administration of]

Goldstein, Herman. "Improving Policing: A Problem Oriented Approach." *Crime and Delinquency* , no. 25 (1979): 236-58.
[community policing/police reform]

———. "The New Policing: Confronting Complexity." Paper presented at *Conference on Community Policing*, National Institute of Justice, August 24, 1993.
[community policing/police reform]

———. *Police Corruption: A Perspective on Its Nature and Control*. Washington, DC: Police Foundation, 1975.
This 64-page monograph offers a comprehensive if brief view of various issues surrounding police corruption. Goldstein begins with a discussion of definitions

of corruption, raising the issue of "whether to include only acts resulting in significant gain or to extend the definition to include *any* favor or *any* gift." The author proceeds with brief chapters on police resistance to discussing corruption, its costs and impact, varying degrees and forms of corruption, contributing factors, administrative problems, and common solutions. Goldstein concludes that "corruption is endemic to policing" and that department leaders "must come to see the problem not as unmentionable, but rather as a natural and expected challenge." With a realistic approach to corruption, he argues, police forces will be more successful in developing systemic responses to a phenomenon which has yet to be fully understood.
[Police corruption]

————. *Policing a Free Society.* Cambridge: Ballinger Publishing Company, 1977. Goldstein's study of the police in America includes a chapter on police accountability, in which he examines factors that complicate police review (including lack of guidelines, department-wide practices, and the "blue curtain") and offers suggestions for improvement through administrative change and means of providing citizen redress. Another chapter addresses police corruption, identifying the scope and forms of the problem and the administrative hurdles to locating corruption, and weighing the impact of various solutions. Other chapters focus on developing police leadership, upgrading police personnel, and effecting change in police departments.
[criminal justice, administration of/North America/police corruption/police misconduct]

————. *Problem-Oriented Policing.* Philadelphia: Temple University Press, 1990.
[alternative policing/crime prevention]

————. "Toward Community-Oriented Policing: Potential, Basic Requirements, & Threshold Questions." *Crime and Delinquency* , no. 33 (1987): 6-30.
[community policing]

Gomes, Severo, Paulo Sérgio de M. S. Pinheiro, Eric. Braun, and Comissão Teotônio Vilela . *Democracia x Violência: Reflexões Para a Constituinte.* Rio de Janeiro: Paz e Terra, 1986.
[civil rights/human rights/Latin America/politics and government]

González Ruiz, Samuel, Ernesto López Portillo V., and José Arturo Yánez R. *Seguridad Pública En México: Problemas, Perspectivas y Propuestas.* 1st ed. México: Universidad Nacional Autónoma de México, Coordinación de Humanidades, 1994.
[comparative studies/North America]

Government Statistical Service. *Home Office Statistical Bulletin: Operation of Certain Police Powers Under PACE,* Government Statistical Service, London, 1997. The UK government publishes annual statistics revealing the exercise of police powers relating to arrests, stops and searches of suspects. The statistics are

broken down according to reasons for the exercise of the particular action and other criteria. The trend towards an increase in the number of arrests and searches over the last 10 years continued. However, only 11% of stop/searches led to an arrest, the lowest for 10 years.
[Western Europe/criminal justice, administration of]

Grabosky, Peter and Marianne James. *The Promise of Crime Prevention*. Griffith, Australia: Australian Institute of Criminology, 1995.
[crime prevention/Asia Pacific]

Graham v. M.S. Connor et al. 490 U.S. 386, 109 S.Ct. 1865, 1989.
This is a leading case in determining the correct test by which to consider whether the use of force by a police officer was lawful. U.S. Supreme Court Chief Justice Rehnquist held that claims of excessive force by law enforcement officers during an investigatory stop or other "seizure" of a person are properly assessed under the Fourth Amendment. Accordingly, the test is whether the actions of the officers were objectively "reasonable," judged from the perspective of an officer at the scene. The intention of the actual officer was therefore not important. In considering "reasonableness," the intrusion of the individual's Fourth Amendment interest had to be balanced against countervailing governmental interests. Furthermore, the objective assessment of "reasonablemness" should allow for the fact that police officers are often forced to make split second judgements in tense circumstances.
[use of force/North America.]

Greönfors, Martti. *Ethnic Minorities and Deviance: The Relationship Between Finnish Gypsies and the Police*. Helsinki: University of Helsinki, 1979.
[minorities/Western Europe]

Great Britain Northern Ireland Office. *Policing in the Community: Policing Structures in Northern Ireland*. Belfast: HMSO, 1994.
[community policing/Western Europe]

Greenberg, Martin A. "The Control of Police Conduct: A Key Issue for Security Executives." *Journal of Security Administration* 13, no. 1-2 (1990): 63-72.
[police management and administration]

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[community policing/North America/public relations]

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Greer examines the history and performance of the *Ertzaintza*, the autonomous Basque police force established during Spain's movement toward decentralization and democratization following Franco's death in 1975. The author offers a historical review of the Basque region's centuries-old tradition of

semi-autonomous but not independent policing, and the legal complexities which surround this attempt to move away from Franco's highly centralized and repressive Civil Guard policing model. Though significant problems with the new force remain, Greer argues that "there can be no question that the *Erstaintza's* first decade has been marked by significant successes." If continued decentralization and popular acceptance is to be achieved, he argues, the force must develop a counter-terrorist capacity to confront the separatist *Euskadi t Askatasuna* (ETA) and build a separate Judicial Police Service. On a broader level, Greer suggests that the autonomous Basque police makes Spain "unique in the highly centralised and authoritarian 'continental' policing tradition to which it hitherto unequivocally belonged."
[Western Europe/policing in political transition/police professionalization]

Gurr, Ted Robert. *Rogues, Rebels, and Reformers: A Political History of Urban Crime and Conflict.* Beverly Hills: Sage Publications, 1976.
[crime/criminal justice, administration of/crime prevention]

Guyot, Dorothy. *Policing As Though People Matter.* Philadelphia: Temple University Press, 1991.
Guyot focuses on how the constituency and organization of police departments affect the work of officers on the street. Working from a fifteen-year study of reforms instituted by the police department of Troy, New York, the author identifies "two transformations in American policing": professionalized administrations and professionalized officers. The book is divided into four major parts; the first examines development of professional police officers, the second explores community and police approaches to coping with crime, the third deals with the use, abuse, and control of police power, and the fourth discusses "the central concern of service to the public." Guyot introduces the "hospital model," which "draws analogies between police officers and physicians to highlight both the discretionary decisions that officers make and their broad service role," as a new paradigm of police department organization. The book's appendix offers a set of questions based on each chapter's material intended for use as an assessment tool for any police department.
[North America/police management and administration]

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This Legal Action Group publication is a guide to laws, practices, and procedures concerning abuse of police power in Britain for advisors and solicitors. It systematically outlines the various options available in response to police abuse, including civil claims and official complaints. It also offers advice about interviewing alleged victims, outlines discipline and criminal prosecution procedures, offers a guide to laws about suing the police, and explains the process of bringing action against them.
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Holiday, David and William Stanley. "Building the Peace: Preliminary Lessons From El Salvador." *Journal of International Affairs* 46, no. 2 (1993): 415-38.
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[complaints against police/police management and administration]

Holloway, Thomas H. *Policing Rio De Janeiro: Repression and Resistance in a 19th-Century City.* Stanford: Stanford University Press, 1993.

[Latin America]

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Home Office, London, 1997.
The UK government has launched an inquiry into the systems for complaints
against and discipline of the police. This paper is the government's analysis of
the existing situation and statutory framework which has been in place since
1985. It is intended as an overview, to illicit comment from interested groups. At
present the police investigate and report on allegations of police misconduct
against themselves. Such investigations are, in theory, supervised by an
independent Police Complaints Authority (PCA). The level of supervision varies
at the PCA's discretion depending on the seriousness of the complaint. In the
vast majority of cases the supervision is minimal. The PCA has a statutory duty
to report every year to the Secretary of State.
[complaints against police/Western Europe]

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International, 1997.
[criminal justice, administration of/police reform/police management and
administration]

Hoover, Larry T., ed. *Police Management: Issues and Perspectives.* Washington, DC: Police
Executive Research Forum, 1992.
This anthology is an examination of the endemic issues in policing and police
management. Built on the premise that certain problems in policing will never
be ultimately resolved, *Police Management* is organized around a conceptual
matrix developed for the Texas Law Enforcement Management Institute's
Executive Issues Seminar Series. This matrix defines the endemic issues as
follows: matching structure to objectives, community alliance, enriching
traditional roles, the "activity trap," creativity with accountability, and stability
amid change; the anthology devotes a chapter to each. It then goes on to examine
management perspectives on alternative futures, strategic approaches, human
resource issues, technological and material resource management,
organizational communications, and executive responsibilities, and how they
relate to the endemic issues in policing.
[police management and administration]

————, ed. *Quantifying Quality in Policing.* Washington, DC: Police Executive Research
Forum, 1996.
Quantifying Quality in Policing features twelve papers on organizational
innovation in policing by prominent experts in the field. As stated by Hoover in
the Preface, "this book is intended to provide a comprehensive review of the
potential application of total quality management (TQM) to police
administration." Hoover expands on the translation of TQM from the private to
the public service sector in Chapter 1; George Kelling examines the usefulness of
Uniform Crime Reports for measuring police performance in Chapter 2; David

Bayley discusses tools for measuring overall police force effectiveness in Chapter 3; Dennis Kenney writes on the importance of and tools for crime analysis in Chapter 4; David Carter and Darrel Stephens discuss approaches to measuring community policing success in Chapters 5 and 6; Robert Worden examines measurements of the effectiveness of street-level drug enforcement in Chapter 7; Dorothy Bracey assesses non-traditional responses to calls for police service in Chapter 8; John Eck and Gary Cordner discuss evaluation techniques for detectives and tactical patrol officers in Chapters 9 and 10; Stephen Mastrofski advocates an approach to evaluation emphasizing the performance of police in their interactions with the public in Chapter 11; and Gary Cordner and Gerald Williams analyze the policing standards of the Commission on Accreditation for Law Enforcement Agencies (CALEA) in Chapter 12.
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New York: Praeger, 1991.
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This report charts violations of international human rights and humanitarian
law committed by Indian security forces in Kashmir against civilians and health
care workers. Drawing from interviews and various legal and medical
documents, it charts cases of extra-judicial execution, rape, assault, torture, and
raids on medical facilities. The report includes a brief historical background of
the conflict in Kashmir, official responses from the Indian government, and a set
of recommendations to the government and the international community, and
incorporates two previous Human Rights Watch reports: *The Crackdown in
Kashmir: Torture of Detainees and Assaults on the Medical Community* (1993) and
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[East Asia, South and Southeast Asia/human rights/liability of
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[human rights/Latin America/police and violence]

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This report examines physical abuse and other mistreatment of street children in
Bulgaria by the police, both in public and in custody. It also criticizes the

confinement of children, without due process, in Labor Education Schools. Focusing on routine round-ups of street children on suspicion of theft, reports of overnight detention without judicial oversight, and poor confinement conditions, the report suggests that the children's Roma ethnicity is taken as evidence of criminality by the police. It also documents cases of severe brutality, including beatings and electric shocks, and accuses the Bulgarian police of failing to protects street children from attacks by skinheads.
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[human rights/police and violence/Latin America]

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Iacopino, Vincent and Sidney Jones. *"Bloody May": Excessive Use of Lethal Force in Bangkok: The Events of May 17-20, 1992.* Boston & New York: Physicians for Human Rights & Human Rights Watch, 1992.
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[police brutality/torture/Middle East, North Africa, West Africa]

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[civil rights/North America]

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[civilian review]

International Association of Chiefs of Police. *Police Supervision: A Manual for Police Supervisors*. Gaithersburg, Md: International Association of Chiefs of Police. Designed for police supervisors, this manual details guidelines covering a diverse range of issues relevant to policing. Included are sections on disciplining misconduct and handling complaints and grievances, in which categories of misconduct are defined and mechanisms for dealing with problems are explained.
[police management and administration]

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[alternative policing/community policing]

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[Eastern Europe, Central Asia, Russia/police training/policing in political transition]

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[community policing/complaints against police/North America/public relations]

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[community policing/North America/public relations]

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In *Fixing Broken Windows*, Kelling and Coles advocate a shift to community-centered approaches to policing America's cities. Arguing that public disorder is an integral part of the urban crime problem, they call for new policing strategies based on the maintenance of order and citizen involvement in crime-control efforts. They critique civil libertarians and courts for allowing disorder to proliferate at the expense of communities, and point to the failure of reactive "911 policing." They offer a model of community policing and crime control as an alternative, and use initiatives in New York, Baltimore, San Francisco and Seattle to illustrate their argument for the restoration of order in public spaces.
[Law enforcement United States/Crime prevention United States/Police administration United States]

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This 1981 study offers an evaluation of an experimental foot patrol program implemented in Newark, New Jersey in the mid-1970s. The study assesses topics such as the attitudes of foot patrol officers compared to those of motor patrol officers; levels of crime before and after the program began; and public perceptions of the police. It finds that while foot patrol did not have a significant

effect on crime, it did reduce citizens' fear of crime, affected the protective measures they took to avoid crime, resulted in more positive and less negative public responses to police services, and increased perceived safety.
[community policing/police management and administration/police patrol and deployment/public relations]

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[human rights]

Klochars, Carl. *The Idea of Police.* Thousand Oaks, CA: Sage Publications, 1985.
[police management and administration/police patrol and deployment]

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[police training/police patrol and deployment]

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[community policing/police patrol and deployment/police management and administration]

Kurtz, Howard A. "Criminal Justice Centralization Versus Decentralization in the Republic of China." *Journal of the Oklahoma Criminal Justice Research Consortium* 2 (1995): 90-96.
[criminology/East Asia, South and Southeast Asia]

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[criminal justice, administration of]

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Lambert, John L. *Police Powers and Accountability.* London: Routledge, 1986.
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[complaints against police/North America/public relations]

Lattimore, Pamela K., James Trudeau, Jack K. Riley, Jordan Leiter, and Steven Edwards. *Homicide in Eight U.S. Cities: Trends, Context, and Policy Implications.* Washington, DC: National Institute of Justice, 1997.

[crime/criminology]

Lawyers Committee for Human Rights. *Impunity: Prosecutions of Human Rights Violations in the Philippines.* New York: Lawyers Committee for Human Rights, 1991.
This report examines the civilian and military agencies in the Philippines—including the national police, the Commission on Human Rights, the National Bureau of Investigation and civilian courts—responsible for investigating and prosecuting human rights abuses by the police, armed forces and paramilitary groups. The report critiques the Philippine government for failing to hold violators accountable, arguing that this impunity has lead to continued abuses of human rights in the post-Marcos era. It calls for a concerted and sustained governmental effort to overcome the obstacles to successful prosecutions and offers a set of recommendations to aid this process.
[Asia Pacific/civil rights/complaints against police/human rights/police brutality/police misconduct/politics and government]

———. *The Nigerian Police Force: A Culture of Impunity.* New York: Lawyers Committee for Human Rights, 1992.
This report identifies police brutality as a major human rights problem in Nigeria, and accuses the military government of failing to hold the police accountable for arbitrary arrests, excessive use of force and extra-judicial killings. Examining administrative, judicial and governmental apathy about the culture of police impunity, the report details cases of unpunished police brutality, including group killings, disappearances and custodial deaths. It also includes a list of recommendations to the Nigerian government and police force.
[human rights/Middle East, North Africa, West Africa/police and violence/police brutality/police misconduct/politics and government]

Leishman, Frank, Barry. Loveday, and Stephen P. Savage. *Core Issues in Policing.* New York: Longman, 1996.
This book examines the use of market and management solutions to improve the efficiency of the police in Britain. It looks first at current changes in police management, including the expansion of private sector provision in the criminal justice system, and assesses the impact that these changes have had on police service. It also analyzes the core responsibilities of policing and theorizes the role of the police in relation to crime. Finally, it looks to the future by exploring the dimensions and utility of police research, identifying where it comes from and where it is going.
[police management and administration/private policing/Western Europe]

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[Latin America]

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[crime/crime prevention/police management and administration/police patrol

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and deployment]

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    [criminal justice, administration of]

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    Police Department Five Years After the Christopher Commission*, Los Angeles, 1996.
    This report, prepared by the five Police Commissioners appointed by Los
    Angeles mayor Richard Riordan, includes the Police Commission's report in
    addition to the report of Special Counsel Merrick Bobb ("Five Years Later,"
    annotated separately in this bibliography). The Commissioners discuss the Los
    Angeles Police Department's success in implementing the changes
    recommended by the Christopher Commission. Central to these changes is
    effective movement toward community policing, which the report describes as
    "the catalyst for moving the Department away from the faceless, militaristic
    organization characterized in the Christopher Commission findings, toward a
    21st century model that is more compatible and interactive" with local
    communities. Chapter One discusses efforts to change department culture and
    relations with communities; Chapter Two examines personnel issues
    (particularly "problem officers"); Chapter Three examines training reforms; and
    Chapter Four describes the accomplishments of the Police Commission, which
    has moved to exercise a more active and effective oversight function over
    Department activities since 1991.
    [community policing/North America/police management and
    administration/police patrol and deployment/police reform]

————. *Office of the Inspector General Six-Month Report*, Los Angeles Board of Police
    Commissioners, Los Angeles, 1997.
    [complaints against police/North America]

Louw, Antoinette and Mark Shaw. *Stolen Opportunities: The Impact of Crime on South
    Africa's Poor*. Halfway House, South Africa: Institute for Security Studies, 1997.
    This 73-page monograph is one in a series published by the Institute for Security
    Studies on issues facing post-apartheid South Africa. Despite a paucity of
    quantitative data on crime incidence by social strata, the authors use interviews
    and regional statistics to support their assertion that "race, class and gender are
    significant determinants of the nature of victimisation in South Africa." In
    particular, they find that black, poor South Africans are the most common
    victims of violent crime and are most vulnerable "to the effects victimisation may
    have." The authors examine environmental determinants of crime, such as
    unemployment, and provide a comparative analysis of crime in the Northern and
    Eastern capes. The monograph concludes with an assessment of state responses
    to the upsurge of crime in South Africa since the late 1980s. In particular, the
    authors examine the 1996 National Crime Prevention Strategy, which they find
    lacking insofar as "it does not lay out clear guidelines and an appropriate strategy

for how prevention programmes can be implemented at the local level within the context of a national framework.".
[crime/South and East Africa/crime prevention]

Lumb, Richard C. "Policing Culturally Diverse Groups: Continuing Professional Development Programs for Police." *Police Studies* 18, no. 1 (1995): 23-44.
[minorities/police training/police management and administration]

Lurigio, Arthur J. and Wesley G. Skogan. "Winning the Hearts & Minds of Police Officers: An Assessment of Staff Perceptions of Community Policing in Chicago." *Crime & Delinquency* 40, no. 3 (1994): 315-30.
[community policing/public relations]

Lutz, Ellen L. *Human Rights in Mexico: A Policy of Impunity*. New York: Human Rights Watch, 1990.
[human rights/Latin America/police misconduct]

Mader, Katherine. *Domestic Violence in the Los Angeles Police Department: How Well Does the Los Angeles Police Department Police Its Own?* Office of the Inspector General, Los Angeles Police Department, 1997.
This report from the Office of the Inspector General (OIG) of the Los Angeles Police Department examines how the Department dealt with domestic violence investigations involving its personnel between 1990 and 1997. The report finds that while the Department does investigate and discipline employees accused of domestic violence, the penalties imposed on officers found to be guilty have been "extremely light" and that "many of the investigations lacked objectivity or were otherwise flawed or skewed." The report includes a background section on the investigation, statistical analysis of investigated cases, analysis of department investigation procedures, and a series of recommendations, chief among which is the admonition that a department employee accused of domestic violence "should be treated in the identical manner as a private citizen." A matrix at the end of the report outlines each of the 227 cases investigated by the Department during this period.
[police and violence]

Manby, Bronwen. "The Independent Complaints Directorate: An Opportunity Wasted?" *South African Journal on Human Rights* 12 (1996): 419-51.
[complaints against police/civilian review]

Mapstone, Richard H. *Policing in a Divided Society: A Study of Part Time Policing in Northern Ireland*. Aldershot, England : Avebury, 1994.
[police patrol and deployment/policing in political transition/politics and government/Western Europe]

Marenin, Otwin. "Creating Democratic Police Forces: Goals, Processes and Constraints." Paper presented at *Center for International Security and Arms Control Conference on Police Reform in States Under Transition*, Stanford

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University, March 4, 1996-March 5, 1996.
The author outlines fundamental principles behind policing and police reform in the context of the needs of newly democratic states. The development of policing systems in countries undergoing political change and the impact of US influence on such systems is also examined. The paper concludes by emphasizing the need for caution in promoting democratic policing through international aid. General principles may be promoted, but it is incumbent on each country to find effective methods to incorporate those principles into their systems. The goal should not be to find the ultimate policing model to be applied universally, but, at best, to "jump-start" each nation to find a model of its own based on general principles that have worked effectively elsewhere.
[alternative policing/comparative studies/Eastern Europe, Central Asia, Russia/North America/police management and administration/police reform/police training/policing in political transition/politics and government]

———. "Creating Democratic Police Forces: Goals, Processes and Contraints." Paper presented at *Conference on Police Reform in States Under Transition*, Stanford University, Stanford, CA, March 4, 1996-March 5, 1996.
[police management and administration/police patrol and deployment/police reform]

———. *The Goal of Democracy in International Police Assistance Programs.* Unpublished. In this 18-page paper, Otwin Marenin examines "a large and growing international exchange network for policing ideologies, technologies and skills." The author sketches different types of assistance, including agency to agency interactions, bi-lateral programs, and international programs, before discussing conditions for the success and failure of such efforts. Improvements in policing, he argues, result from a dual approach which targets both the "inside" of police organizations and their particular cultures, and the "outside" influence of political and societal constraints. Ultimately, democratization must reach police forces as well as national governments, he writes, and the goal of international police assistance should be "to set in motion processes which will lead over time and the accretion of decisions to a democratic state, a civil society and good policing.".
[police professionalization/policing in political transition]

———. "International Police Assistance for Democracy." (Unpublished paper). Marenin discusses the principles of effective US assistance to policing in emerging democracies. He concludes that general principles may be promoted, but specific methods of implementation are best left to be devised by the specific national system, and the police officers who work in it.
[alternative policing/comparative studies/Eastern Europe, Central Asia, Russia/North America/police management and administration/police reform/police training/policing in political transition/politics and government]

———. "The Police and the Coercive Nature of the State." In *Changes in the State: Causes*

and Consequences, edited by Edward S. Greenberg and Thomas F. Mayer. Newbury Park: Sage, 1990.
In this essay, Marenin attempts to locate the autonomous interests of the police in a theory of the State. Arguing against traditional conceptions of the police as the unproblematic instrument of the State, he claims instead that police autonomy and behavior impact the reproduction of the State via their exercise of force and their role in the State's processes of self-legitimization. It is the "Stately" *actors*—such as the police—that reproduce the State rather than vice versa. Thus, he argues, the police represent the intermingling of force and consensus that defines the State as coercive.
[police and violence/politics and government/public relations]

————. *Policing Change, Changing Police: International Perspectives.* New York: Garland Publishing, 1996.
Focusing on South and Central America, the Middle East, South Africa, the European Union, the ex-Soviet nations and Hong Kong, this anthology brings together a group of essays that explore the roles, functions and activities of the police during major societal changes. Contending that the police are at the core of changes in society and the State, the essays attempt, both empirically and theoretically, to address the role of the police in the reproduction of change. *Policing Change, Changing Policing* aims, finally, to evaluate what changes in policing contribute to our understanding of the nature of policing in general.
[Police administration/comparative studies/East Asia, South and Southeast Asia/Eastern Europe, Central Asia, Russia/Middle East, North Africa, West Africa/policing in political transition/politics and government/Western Europe]

————. "United States International Policing Activities: An Overview." Paper presented at *Fourth International Police Executive Forum*, Vienna, May, 1997.
This article by Marenin provides a detailed account of US involvement in international policing programs. These range from information sharing and liaison efforts, to training at institutions such as the International Law Enforcement Academy and in the US. The relationship between such policing assistance and US Foreign policy is discussed, particularly to the extent that the militarization of law enforcement works at cross-purposes with democratization and civilian policing. The Americanization of international policing is highlighted as a concern, in that it may be counterproductive to policing needs in other countries. Marenin cautions against the increasing role of international politics in domestic policing, particularly in countries which need to develop independent and stable police forces of their own.
[crime prevention/North America/police patrol and deployment/politics and government]

————. "United States Police Assistance to Emerging Democracies." *Policing and Society* 00 (1997): 1-15.
Marenin outlines his theories on the difficulties in the US assisting police systems in emerging democratic countries. He sets out the extent to which the

US provides such assistance and the different forms of aid that are offered. The article emphasizes the need for reform to respect existing police structures in various countries, and adapt to them. General principles should have greater priority than specific skills or techniques. Implementation principles are also important and are only effectively devised when attention is given to particular national problems. A blanket approach to all countries is ineffective. Marenin's "seven principles" are also a helpful summary of the important points involved in US efforts to assist foreign police forces.
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———. "What Does Community Policing Mean for Daily Police Work?" *National Institute of Justice Journal*, no. 225 (1992): 23-27.
[community policing/public relations]

Mastrofski, Stephen D. *Law Enforcement in a Time of Community Policing.* National Institute of Justice Research Preview. Washington, DC: National Institute of Justice, 1996.
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Mathews, M. L., Philip B. Heymann, and Anthony S. Mathews. *Policing the Conflict in South Africa.* Gainesville: University Press of Florida, 1993.
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Mawby, R. I. *Comparative Policing Issues: The British and American System in International Perspective.* London: Unwin Hyman, 1990.
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Mayhall, Pamela D., Thomas Barker, and Ronald D. Hunter. *Police-Community Relations and the Administration of Justice.* 4th ed. Englewood Cliffs, NJ: Prentice Hall, 1995.

[community policing/criminal justice, administration of/public relations/North America]

McCormack, Robert J. "Police Perceptions and the Norming of Institutional Corruption." *Policing and Society* 6, no. 3 (1996): 239-46.
[morale and ethics/police corruption/police management and administration]

McElroy, Jerome E., Colleen A. Cosgrove, and Susan. Sadd. *Community Policing: The CPOP in New York.* Newbury Park: Sage Publications, 1993.
This large volume examines in detail the origins, operations, and results of the Community Patrol Officer Program (CPOP), initiated as a demonstration project by the Vera Institute of Justice for the New York City Police Department in 1984. The program, which involved the creation of a unit of Community Patrol Officers (CPOs) in the 72nd Precinct in Brooklyn, was deemed successful enough that the CPOP had been extended to all 75 of New York's precincts by 1989. This book reviews the background of community policing, describes the Vera Institute's methodology in designing and creating the program, and examines officers' perceptions of their community policing role. The authors also touch on supervision issues and the reaction of community leaders to the CPOP before offering a qualified endorsement of the program and recommendations for its improvement. Appendices describe the CPOP program in action and provide a problem-solving guide for community police officers.
[community policing/North America/police management and administration/police patrol and deployment]

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[police management and administration/police patrol and deployment/politics and government/Western Europe]

Moore, Mark Harrison and Darrel W. Stephens. *Beyond Command and Control: The Strategic Management of Police Departments.* Washington, DC: Police Executive Research Forum, 1991.
In this monograph, Moore and Stephens apply the lessons of strategic management learned from corporate culture to the police. They pose a challenge to the orthodoxy that they claim governs police management, one which is rooted in the traditions of military command and scientific management. Instead, they argue, a new orthodoxy must be developed that moves beyond mere crime control and is based on several key principles, including: preventing crime by learning how to identify and resolve its underlying causes; acknowledging the crucial role of citizens and communities in battling crime; and opening up to discussions with the community on what police departments' priorities should be.
[community policing/police management and administration]

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[police patrol and deployment/Latin America]

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[North America/police management and administration]

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Nadelmann, Ethan Avram. "The Americanization of Global Law Enforcement: The Diffusion of American Tactics and Personnel." In *Crime and Law Enforcement in the Global Village*, edited by W.F. McDonald. Cincinnati: Anderson Publishing Company, 1987.
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[Latin America/police training]

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[police reform/policing in political transition/Latin America]

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[community policing/public relations/comparative studies]

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to narcotics-related issues to citizen participation, among others. Comments from practitioners offering training workshops are also transcribed, with instruction on alternative dispute resolution, policing immigrant communities, and performance measurement and appraisal, among other topics. Presenters on "partnership panels" also offer brief descriptions of various local and national programs. The report concludes with an appendix listing the names and contact information of the approximately 175 conference presenters.
[community policing/crime prevention/police patrol and deployment/public relations/North America]

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————. "Developing Measures of What the Police Do." Paper presented at *Measuring What Matters*, Washington, DC, 1995.
[criminology/police management and administration]

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This series of monographs published by the National Institute of Justice features writings by "some of the leading figures in American policing." The authors and titles are as follows: No.1: George L. Kelling, "Police and Communities: The Quiet Revolution"; No.2: Mark H. Moore, Robert C. Trojanowicz and George L. Kelling, "Crime and Policing"; No.3: Mark H. Moore and Robert C. Trojanowicz, "Policing and the Fear of Crime"; No. 4. George L. Kelling and Mark H. Moore, "The Evolving Strategy of Policing"; No.5: Francis X. Hartmann, "Debating the Evolution of American Policing"; No. 6: Mark H. Moore and Robert C. Trojanowicz, "Corporate Strategies for Policing"; No.7: George L. Kelling, Robert Wasserman and Hubert Williams, "Police Accountability and Community Policing"; No.8: Robert H. Wasserman and Mark H. Moore, "Values in Policing"; No.9: Malcolm K. Sparrow, "Implementing Community Policing"; No.10: George L. Kelling and James K. Stewart, "Neighborhoods and Police: The Maintenance of Civil Authority"; No.11: Mark H. Moore and Mark A.R. Kleiman, "The Police and Drugs"; No.12: Lee P. Brown, "Community Policing: A Practical Guide for Police Officials"; No.13: Hubert Williams and Patrick V. Murphy, "The Evolving Strategy of Police: A Minority View"; No.14: David M. Kennedy, "The Strategic Management of Police Resources"; No.15: Edwin Meese III, "Community Policing and the Police Officer"; No.16: Malcolm K. Sparrow, "Information Systems and the Development of Policing"; No.17: George L. Kelling and William J. Bratton, "Implementing Community Policing: The Administrative Problem." Each monograph is approximately ten pages long.
[alternative policing/community policing/crime prevention/North America/police management and administration/police patrol and deployment/police reform]

————. *Police Integrity: Public Service With Honor.* Washington, DC: National Institute of
    Justice, 1997.
    [morale and ethics/police corruption/North America]

National League of Cities. *Blueprint for Partnership: A Practical Guide to Assessing Police-
    Community Relations.* Washington, DC: National League of Cities, 1995.
    [community policing/North America/public relations]

Navarro Solano, Sonia. *Estigmatización, Conducta Desviada y Victimización En Una Zona
    Marginada.* 1st ed. San José, Costa Rica: Instituto Latinoamericano de las
    Naciones Unidas para la Prevención del Delito y Tratamiento del Delincuente,
    1983.
    [crime/criminology/victims of crimes/Latin America]

New York (City) Commission to Investigate Alleged Police Corruption. *The Knapp
    Commission Report on Police Corruption.* New York: George Braziller, 1972.
    This report contains the findings and recommendations of New York City's first
    independent commission to investigate police corruption, appointed by Mayor
    John Lindsay in 1970 in the aftermath of the Serpico case and subsequent
    negative media coverage. The Commission found corruption to be "widespread"
    and particularly faulted the "rotten-apple" doctrine followed by much of the
    department's leadership. According to this doctrine, "any policeman found to be
    corrupt must promptly be denounced as a rotten apple in an otherwise clean
    barrel. It must never be admitted that his individual corruption may be
    symptomatic of underlying disease." The report is prefaced with a summary and
    principal recommendations, which include the appointment of a Special Deputy
    Attorney General to investigate corruption, departmental reforms and changes
    in the law designed to eliminate "as many situations as possible which expose
    policemen to corruption." Section One describes the commissioner's origins and
    investigative activities, Section Two examines patterns of police corruption in
    areas such as gambling, narcotics and prostitution, and Section Three assesses
    anti-corruption efforts.
    [North America/police corruption/police management and administration]

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    This document brings together five NYCLU reports which argue for a powerful,
    civilian-controlled review process. The first section examines the Civilian
    Complaint Review Board's response to the 1988 Tompkins Square conflict and
    calls for a review board independent of the police department (the report was
    written before the 1993 reorganization of the CCRB in New York). The second
    section examines the creation and administration of civilian review in seven
    American cities, describing and assessing the history, politics, structure, and

effectiveness of the various models. Also included are the second and third anniversary overviews of New York's CCRB, in which its record is critiqued. [civil rights/civilian review/complaints against police/North America/police misconduct/prosecution of police]

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[civilian review/North America]

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[civilian review/police misconduct/North America]

North American Congress on Latin America. *NACLA Report on the Americas*, NACLA, 1996.
Three different issues are discussed in this publication. Firstly, it is argued that the rhetoric of the "war on crime" is a call for more police power and less police accountability, increasing the potential for abuse of authority. Comparisons are made to the frequency of the use of deadly force among countries such as Jamaica, Brazil, and Mexico, and the complex reasons behind such differences are discussed. Secondly, an article focusing on Columbia discusses how a reduction in legal protection for suspects, designed at facilitating police action against drug dealers, has resulted in the use of increased police powers to suppress social protest and trade union activity. Thirdly, prison violence, as a side-effect of overcrowding resulting from more severe sentencing policies in Venezuela is examined, as are the long-term pitfalls of a more severe approach to crime by the courts.
[Latin America/North America/human rights/police brutality]

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[criminal justice, administration of/Latin America/North America/police management and administration]

O'Rawe, Mary and Dr. Linda Moore. *Human Rights on Duty—Principles for Better Policing: International Lessons for Northern Ireland*. Belfast: Committee on the Administration of Justice, 1997.
[police professionalization/Western Europe]

Office of the Inspector General: Los Angeles Police Commission. *Status Update: Management of LAPD High-Risk Officers*, Office of the Inspector General, Los Angeles Police Commission, Los Angeles, 1997.
Following reports in 1991 and 1996, the Office of the Inspector General of the

Los Angeles Police department (LAPD) examines whether the LAPD effectively identified and monitored potential "high-risk" police officers (i.e. officers against whom numerous complaints had been made). The report praises some changes that have been made but remains critical of existing circumstances. The LAPD are unable to collate basic information about which officers are defendants in civil law suits and which officers are facing criminal charges or are on criminal probation. Furthermore, internal monitoring is such that officers who are the subject of complaints are not identified to other officers when assignments and other decisions are made. The existing lists of high risk officers is outdated and ineffective, and existing procedures for identifying and monitoring high risk officers are also ineffective. The report recommends the development of new policies for the exchange of information between the City Attorney and the Police Department as well as within the LAPD itself, concerning officers who are the subject of complaint or civil suit. It also proposes the development of new procedures to determine when officers should be allocated to assignments and holding commanding officers more accountable for the management of those officers proposing a substantial risk. The report concludes that "many of the identified deficiencies can be easily remedied.".
[complaints against police/North America/police brutality/police misconduct]

Ogletree, Charles J., Mary Prosse, Abbe Smith, and William Talley. *Beyond the Rodney King Story: An Investigation of Police Conduct in Minority Communities*. Boston: Northeastern University Press, 1995.
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Oliver, Ian. *Police, Government, and Accountability*. 2nd ed. London: Macmillan, 1997.
[police management and administration/police misconduct/Western Europe]

Oosterwijk, Freddy. *The New Hungarian Police Officer: A Comparative Research Regarding the Consequences of the New Educational System of the Hungarian Police*. Budapest: RTF Rendeszeti Vezetokepzp es Kutatointezet, 1994.
[comparative studies/Eastern Europe, Central Asia, Russia/police training]

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[Middle East, North Africa, West Africa/police training/South and East Africa]

————. "The Resilience of the British Colonial Police Legacies in East Africa, Southern Africa, and West Africa." *Police Studies* 15, no. 2 (1992): 90-99.
[comparative studies/police management and administration/police patrol and deployment/South and East Africa]

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Pagon, ed. *Policing in Central and Eastern Europe: Comparing Firsthand Knowledge With Experience From the West.* Ljubljana, Slovenia: College of Police and Security Studies, 1996.
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Palmiotto, Michael J. and Michael C. Donahue. "Evaluating Community Policing: Problems and Perspectives." *Police Studies* 18, no. 2 (1995): 33-53.
[community policing]

Pate, A and P. Shtull. "Community Policing Grows in Brooklyn: An Inside View of the New York Police Departments Model Precinct." *Crime & Delinquency* 40, no. 3 (1994): 384-410.
[community policing/comparative studies/police management and administration]

Pate, Anthony and Edwin E. Hamilton. *The Big Six: Policing America's Largest Cities.* Washington, DC: Police Foundation, 1991.
This Police Foundation publication presents dozens of tables and graphs covering a wide array of data that pertains to policing in New York, Los Angeles, Philadelphia, Chicago, Detroit, and Houston. Included are sections on firearm discharges, civilians wounded and killed, factors related to citizen complaints against officers, police and civilian injuries and casualties, and departments' entry requirements.
[complaints against police/crime/North America/police and violence/police management and administration/police patrol and deployment/police shootings/police training/use of force]

Reducing Fear of Crime in Houston and Newark: A Summary Report, Anthony Pate, Mary Ann Wycoff, Wesley G. Skogan, and Lawrence W. Sherman. Police Foundation, Washington DC, 1989.
[crime]

Pate, Antony M., Lorie A. Fridell, and Edwin E. Hamilton. *Police Use of Force: Official Reports, Citizen Complaints, and Legal Consequences.* Washington, DC: Police Foundation, 1993.
This report presents the results of a nationwide survey of American law enforcement agencies, examining the multiple facets of police use of force. Charting what is known about police violence and pointing towards what needs to be learned, Volume I of the report outlines its methodology and details its findings. Included is an extensive section on citizen complaints of excessive use of force, and an examination of the legal consequences of those complaints. Volume II includes the questionnaire used and presents all the data that was collected in table form.
[complaints against police/liability of police/North America/police and violence/police misconduct/police shootings/prosecution of police/use of force]

Patton, Alison L. "The Endless Cycle of Abuse: Why 42 U.S.C. § 1983 Is Ineffective in

Deterring Police Brutality." *Hastings Law Journal* 44 (1993): 753.
[North America/police brutality/politics and government]

Patton, Allison. "The Endless Cycle of Abuse: Why 42 USC § 1983 Is Ineffective in
Deterring Police Brutality." *Hastings Law Journal*, no. 44 (1993): 753.
Patton looks at the difficulties of bringing police brutality cases as a violation of
civil rights under 42 USC § 1983, setting out three broad areas that present
plaintiffs with practical difficulties in litigation: finding an attorney, winning a
case, and obtaining an injunction. Particular attention is given to the deterrent
effect, if any, that civil actions have on future policing. The lack of real loss to
individual police officers found guilty of misconduct in civil suits is discussed in
detail, including the lack of correlation between civil suits and internal
discipline. Patton's analysis focuses as much on social science as case law. She
considers the important political questions that civil suits raise and tactical
issues involved in bringing a successful case. The article concludes that the lack
of deterrent effect of civil suits on police behavior is due largely to the failure of
internal and external accountability systems. Her recommendations include
improved training of officers; stronger correlation between complaints against
officers and their promotional prospects; better independent external review
bodies; and legislative changes which improve the discovery process and remove
existing obstacles to injunctive relief against systematic patterns of police
brutality.
[criminal justice, administration of/police brutality/North America]

Peak, Kenneth J. and Ronald W. Glensor. *Community Policing and Problem Solving:
Strategies and Practices.* Upper Saddle River, N.J: Prentice Hall, 1996.
[community policing/North America/police management and administration]

Pedrazzini, Yves and Magaly Sánchez. *Malandros, Bandas y Niños De La Calle: Cultura
De Urgencia En Las Metrópolis Latinoamericanas.* Caracas: Vadell Hermanos
Editores, 1992.
[Latin America]

Penglase, Ben. *Final Justice: Police and Death Squad Homicides of Adolescents in Brazil.*
New York: Human Rights Watch/Americas, 1994.
[Latin America/police shootings/use of force]

Pennell, Susan, Christine Curtis, and Joel Henderson. *Guardian Angels: An Assessment of
Citizen Response to Crime.* Washington, DC: National Institute of Justice, 1986.
[alternative policing/crime/North America/vigilantism]

People's Union for Democratic Rights. *The Usual Story: Custodial Death in Police Post No.
8, Faribad,* People's Union for Democratic Rights, Delhi, 1996.
[police brutality/East Asia, South and Southeast Asia/human rights]

Perez, Douglas Werner. *Common Sense About Police Review.* Philadelphia: Temple
University Press, 1994.

Perez offers a comparative study of police review systems in the United States, examining internal, external/civilian, and hybrid forms of review. Attempting to forge a position between critics and proponents of civilian review, he argues that accountability systems can achieve a balance between self-sanctioning and enforced regulation by maintaining strict guidelines. These include: rigorously investigating alleged police abuses; bridging the gap between police and citizen; and exonerating police officers when they have acted legally.
[complaints against police/judicial oversight/liability of police/civilian review]

Philadelphia Police Study Task Force. *Philadelphia and Its Police*. Philadelphia: Philadelphia Police Study Task Force, 1987.
[North America/police management and administration/police patrol and deployment]

Philip, Prateep V. "India: An International Blueprint for Community Policing." *Criminal Justice Europe Online* 5, no. 2 (1995): http://www.acsp.usc.edu/oicju/pubs/cje/050611.
[community policing/comparative studies/East Asia, South and Southeast Asia]

Police Action Lawyers Group. *Memo of Evidence to Home Affairs Select Committee*, Christian Fisher Solicitors, London, 1997.
This is a paper by a group of lawyers who specialize in representing plaintiffs in civil actions against the police in the UK. It is a submission to the inquiry set up by the UK government in late 1997 to look at the systems of police complaints and police discipline. The paper focuses on the failure of the independent Police Complaints Authority to have effective investigatory powers and the extent to which this has hampered its role as an independent monitor on police misconduct. There is criticism of the very high standard of proof required before complaints or disciplinary allegations are found to be proved. Some consideration is given to unsatisfactory provisions such as those which allow officers to retire on medical grounds before a complaint is finished, thus terminating the complaint or disciplinary process; the secretive nature of the disciplinary process; and the failure of the police to reconsider disciplinary action in light of successful civil actions against particular officers.
[complaints against police/police reform/torture/Western Europe]

Police Executive Research Forum. *Neighborhood Team Policing: Organizational Opportunities and Obstacles*. Washington, DC: Police Executive Research Forum, 1997.
[community policing]

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[community policing/North America/public relations]

Police Foundation. *The Years of Controversy: The Los Angeles Police Commission 1991-1993*. Washington, DC: Police Foundation, 1995.

This 45-page report reviews the activities of the Los Angeles Police Commission between 1991 and 1993, as related to writer C.A. Novak by the five men and women who served on the commission during those years. A brief review of the history of the commission is followed by a description of the challenges it faced in the aftermath of the Rodney King beating on March 3rd, 1991. The report notes that a flurry of difficulties in the ensuing months—including more controversial use-of-force incidents, the refusal of chief Daryl Gates to step down promptly, staffing and fiscal limitations, and crippling litigation costs-ensured that "the commissioners never had the time to work on the long-term issues that might have prevented crises from developing in the first place." The report does claim some successes for the commission in initiating implementation of the Christopher Commission's recommendations, but concludes by calling for several specific reforms in the workings of the Commission. In the absence of these reforms, argue the ex-commissioners, the Commission will be unable to effectively perform its oversight function.
[complaints against police/judicial oversight/liability of police/North America/police and violence/police misconduct/prosecution of police/use of force]

Polish Ministry of Justice. *Crime Control in Poland.* Warsaw: Oficyna Naukowa, 1995.
[crime/criminal justice, administration of/police management and administration/Eastern Europe, Central Asia, Russia]

Pratt, Charles E. *Police Officer's Guide: Community Based Policing.* Police Officer Guides, 1985.
[community policing/police patrol and deployment]

Pratt, Honorable George C. *Second Circuit Review: An Analysis of § 1983 Opinions Filed in the Second Circuit Between 6/1/96 and 5/31/97,* Practicing Law Institute, 1997.

President's Commission on Law Enforcement and Administration of Justice. *The Challenge of Crime in a Free Society: A Report.* Washington, DC: USGPO., 1967.
[crime/North America]

President's Commission on Law Enforcement and the Administration of Justice. *The Challenge of Crime in a Free Society.* Washington, DC: U.S. Government Printing Office, 1967.
[crime/crime prevention/North America]

Prime, Jamison S. "A Double-Barrelled Assault: How Technology and Judicial Interpretations Threaten Public Access to Law Enforcement Records." *Federal Communications Law Journal* 48 (1996): 341.
[politics and government]

Public Interest Law Initiative in Transitional Societies. *Symposium of Public Interest Law in Eastern Europe and Russia (Held at University of Natal, Durban, South Africa, 29 June-8 July 1997),* Public Interest Law Initiative in Transitional Societies, New

York, 1997.
[criminal justice, administration of/Eastern Europe, Central Asia,
Russia/policing in political transition]

Punch, Maurice. *Conduct Unbecoming: The Social Construction of Police Deviance and Control*. New York: Tavistock Publications, 1985.
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[politics and government/policing in political transition/Eastern Europe, Central Asia, Russia]

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[police corruption/Western Europe]

Rajsfus, Maurice. *La Police Hors La Loi: Des Milliers De Bavures Sans Ordonnances Depuis 1968* (The Police Outside the Law: Thousands of Extra-Judicial "Slip-Ups" Since 1968). Paris: Cherche Midi, 1996.
In this book, Rajsfus charts extra-judicial violence, racist and sexist behavior, and harassment by the French police since 1968. Arguing that the May 1968 uprisings marked a turning point in French understandings of and attention to policing, he systematically traces developments in misconduct by devoting a chapter to each year between then and 1995. Rajsfus pays particular attention to political shifts and the role of the Minister of the Interior in policy and practice. Included with each chapter is a brief summary of newspaper articles covering police misconduct each year.
[police and violence/police brutality/police misconduct/police shootings/Western Europe]

Randall, Kenneth C. *Federal Courts and the International Human Rights Paradigm*. Durham: Duke University Press, 1990.
[human rights/North America]

Reiner, R. and S. Spencer, eds. *Accountable Policing: Effectiveness, Empowerment and Equity*. London: Institute for Public Policy Research, 1993.
[police management and administration]

Reiner, Robert. "Policing, Order and Legitimacy in Britain." *Research in Law, Deviance, and Social Control* 8 (1986): 173-94.
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———. *The Politics of the Police*. 2nd ed. Toronto: University of Toronto Press, 1992.
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Bureau of the Commissioner for Civil Rights Protection, 1997.
[human rights/Eastern Europe, Central Asia, Russia]

Rhaodes, Philip W. "Political Obligation: Connecting Police Ethics and Democratic
Values." *America Journal of Police* 10, no. 2 (1993): 1-22.
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Impact*. Berkeley: University of California Press, 1993.
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[crime/victims of crimes]

*The Impact of Community Crime Prevention Programs in Chicago: Can Neighborhood
Organizations Make a Difference?*, D. Rosenbaum, D. Lewis, and J. Grant. Final
Report to the Ford Foundation. Department of Criminal Justice, University of
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[crime prevention]

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Thousand Oaks, CA: Sage Publications, 1994.
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Rosenbaum, Dennis P., Arthur J. Lurigio, and Paul J. Lavrakas. *Crime Stoppers: A
National Evaluation of Program Operations and Effects*. Washington, DC: National
Institute of Justice, 1987.
[crime/crime prevention/North America]

Rosenberg, Tina. *Children of Cain: Violence and the Violent in Latin America*. New York:
Penguin, 1991.
[Latin America/victims of crimes]

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[Eastern Europe, Central Asia, Russia/human rights]

Ross, Jeffrey Ian. *Controlling State Crime: An Introduction.* New York: Garland
Publishers, 1995.
Controlling State Crime contributes to the debate over whether and how the
concept of state crime (including "crimes of education," crimes against labor,
and misconduct by the military, police, and intelligence agencies) should be
mobilized, from a variety of political and ideological perspectives. Ross's
introduction offers a theoretical framework which outlines the definitional and
conceptual problems with the notion of state crime and review current literature
on the subject. Ken Manzies's essay, "State Crime by the Police and Its Control,"
addresses the issue of police misconduct, arguing that the police are in an
advantageous structural, occupational, and cultural position to commit these
crimes. Critiquing models of control organized around principles of utopianism,
local democratic control, and professionalism, Manzies proposes that the police
should be "responsible humanists," rewarded for actions that respect civilians,
watched by "social auditors," and guided by several "policy masters.".
[criminology/morale and ethics/police corruption/police misconduct/politics
and government]

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Mexicana de Defensa y Promoción de los Derechos Humanos, 1996.
[liability of police/North America]

Russell, Kenneth V. *Complaints Against the Police: A Sociological View.* Pickering
Publications, 1994.
[complaints against police/North America/police misconduct]

Sa'id Wekili and Hyacinth E. Leus. "Police Brutality: Problems of Excessive Force
Litigation." *Pacific Law Journal* 25 (1994): 77-155.
This article examines the obstacles encountered by private citizens in bringing
brutality charges against the police, the typical problems in "excessive force"
litigation, and how such problems may be remedied. The cases involving police
brutality against Michael Stewart in New York and Rodney King in Los Angeles
are analyzed. There is discussion on the substantive law and how the Fourth
Amendment analysis of police brutality set out by the U.S. Supreme Court in the
case of *Graham v. Connor* benefits the police perspective and makes successful
litigation on behalf of victims more difficult. Recommendations by the American
Bar Association and the National Association of District Attorneys are discussed.
The conclusion proposed the formation of an independent agency designed to
investigate police misconduct. Such an agency should have greater powers than

existing Civilian Complaint Review Boards, including a detailed computer
database and strong investigation and prosecutorial functions.
[complaints against police/police brutality/criminal justice, administration
of/North America]

Innovative Neighborhood-Oriented Policing: Descriptions of Programs in Eight Cities. Vol I.,
Susan Sadd and Randolph M. Grinc. Vera Institute of Justice, New York, 1993.
[community policing/North America]

Issues in Community Policing: Problems in the Implementation of Eight Innovative
Neighborhood-Oriented Policing Programs. Vol II., Susan Sadd and Randolph M.
Grinc. Vera Institute of Justice, New York, 1994.
[community policing/North America]

Safir, Howard. *The Compstat Process.* New York: Office of Management Analysis and
Planning, New York Police Department, n.d.
[North America/police management and administration]

Sandoval, Luis and Pablo Camus. *Prevención De La Delincuencia a Nivel Local. Un Estudio*
Preliminar En La Comuna De Conchalí. Santiago: Centro de Estudios de
Desarrollo, 1993.
[Delinquency prevention]

Sankar Sen. "Human Rights in the Criminal Justice System." *The Police Journal* 69, no.
1 (1996): 51-60.
[criminal justice, administration of/human rights/East Asia, South and
Southeast Asia]

Scharf, Wilfried. "Community Policing: A Preliminary Critical Analysis." *Workshop on*
Community Policing, Technikon, South Africa, May 7, 1996.
[community policing/South and East Africa/policing in political transition]

————. *Policing in Transition.* Cape Town, South Africa: Social Justice Resource Project
and the Legal Education Action Project at the Institute of Criminology,
University of Cape Town, 1993.
Part of the "Developing Justice" series produced by the University of Cape
Town's Institute of Criminology, this pamphlet offers basic information and
suggestions to South African community groups working to improve relations
with the police. The author outlines the obligations imposed on South African
police officers under the National Peace Accord, and provides exercises,
questions for discussion, and a workshop outline for groups that wish to forge
cooperative arrangements with the police in their neighborhoods. The pamphlet
concludes with a list of resources and contacts for South African activists.
[policing in political transition/public relations/police management and
administration]

————. "What Is Community Policing and Why Is South Africa Adopting It?" *Provincial*

Conference of the Western Cape Community Policing Project April 20, 1996.
[community policing/South and East Africa]

Seagrave, Jayne. "What's in a Word? 'Community' Policing in Britain, USA and
Canada." *Police Journal* 69, no. 1 (1996): 30-40.
[community policing/North America]

Seldman, Ariana. "How Long Before Justice Arrives? Why the Police Are Not Satisfying
South Africa's Crime Worries." Boalt Hall Law School, University of California
at Berkeley, 1997.
This paper delineates the obstacles to reforming the South African Police Service
(SAPS) as the country attempts to consolidate its fledgling democracy. Seldman
points to the activities of vigilante organizations as evidence of the gulf that
remains between the majority of South Africans and a police force that until
recently served as apartheid's enforcer. Even as new constitutional rights to due
process have come into force, writes the author, the public has called on the
SAPS to crack down on crime by whatever means necessary. Meanwhile, new
police codes of conduct have not engendered the cultural and institutional
changes that are necessary if the SAPS and local communities are to forge
partnerships against crime on the community policing model. The author
concludes that, for the present, structural determinants of crime remain strong
while formal mechanisms for dealing with it remain inaccessible to the public.
Reform in these areas is possible given adequate funding and time. But "the real
question," writes Seldman, "is whether there is sufficient commitment to this
process and, more importantly, whether the South African public is willing to
wait."
[police management and administration/police reform/South and East Africa]

Sen, Sankar. "Gender Bias in Law Enforcement." *Police Journal* 33, no. 3 (1993): 311.
[criminal justice, administration of]

————. "Human Rights in the Criminal Justice System." *Police Journal* 69, no. 1 (1996):
51.
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————. *Indian Police Today.* New Delhi: Ashish Publishing House, 1994.
Sen, the director of the Indian National Police Academy, examines different
aspects of policing in India, including the issue of police use of force.
Addressing charges of excessive violence among Indian police forces, he argues
that poor working conditions, stresses of the job, low morale, attacks and
murders of policemen, and excessive demands on police time contribute to the
problem. He also warns against the dangers of vigilantism as a response to
police use of force.
[complaints against police/police misconduct/use of force/South and East
Africa]

————. *Police Today.* New Delhi: Ashish Pub. House, 1986.

[police management and administration/East Asia, South and Southeast Asia]

————. "Police Training." *Police Journal* 68, no. 3 (1995): 217.
[police training]

————. "Police Training Programs: A Critical Review." *SVP NPA Magazine* 37 (1986): 53.
[police training]

————. *Policing a Changing Society.* Hyderabad: Boys Town Offset Press, 1994.
Bringing together essays and articles published by Sen in various journals, this book examines the challenge of policing a rapidly changing India. Issues of police training, gender bias in law enforcement, and terrorism are covered, as is the problem of custodial crime. Sen addresses some of the causes of custodial crime, urges the establishment of legislation to determine suitable compensation for victims, and argues that issues of human rights must be emphasized in police training.
[Gender bias/Human rights India/Police administration India/Police India/police training/custodial crime]

Settle, Rod. *Police Power, Use and Abuse.* Northcote, Australia: Muxworthy Press, 1990.
[Police Australia Victoria/Police power Australia Victoria]

Shadmi, Erella. "Controlling the Police: A Public and Integrative Approach." *Policing and Society* 4, no. 2 (1994): 119-29.
[Police/police management and administration/police professionalization]

Shaw, Mark. "Urban Conflict, Crime and Policing in South African Cities." *Africa Insight* 25, no. 4 (1995): 216-20.
[crime/Police South Africa]

Shaw, Mark, Lala Camerer, Mixtry Duxita, Sarah Oppler, and Lukas Muntingh. *Policing the Transformation—Further Issues in South Africa's Crime Debate.* South Africa: Halfway House, Institute for Security Studies , 1997.
Each of the five contributing authors to this monograph presents a brief paper dealing with issues related to crime and crime control in post-apartheid South Africa. Shaw's paper discusses the recent increase in crime, the weakness of the country's criminal justice system, and citizen responses ranging from private security services for the rich to vigilante action for the poor. Camerer examines the experience of crime victims in South Africa's criminal justice system. Mistry discusses South Africa's nascent community policing effort, and suggests that this effort has yet to produce positive results. Oppler describes recent attempts to institute "partnership policing" as an alternative model to community policing. Finally, Mutingh examines strategies and local capacity for "diversion" of juvenile offenders away from the criminal justice system toward positive rehabilitation programs.
[victims of crimes/community policing]

Shearing, Clifford. "Reinventing Policing: Policing As Governance." In *Privatisierung Staatlicher Kontrolle: Befunde, Konzepte, Tendenzen*, edited by Fritz Sack, Michael Voss, Detlev Frehsee, Albrecht Funk, and Herbert Reinke. Baden-Baden: Nomos Verlagsgesellschaft, 1994.
[politics and government]

Shearing, Clifford D. *Organizational Police Deviance: Its Structure and Control*. Toronto: Butterworths, 1981.
[police corruption/police management and administration/North America]

Shearing, Clifford D. and Philip C. Stenning. *Private Policing*. Newbury Park, CA: Sage Publications, 1987.
[private policing]

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[private policing]

Shelley, Louise I. *Policing Soviet Society: The Evolution of State Control*. New York: Routledge, 1996..
[Eastern Europe, Central Asia, Russia]

————. "The Sources of Soviet Policing." *Police Studies* 17, no. 2 (1994): 49-65.
[Eastern Europe, Central Asia, Russia]

Shelley, Louise I. and József Dr. Vigh. *Social Changes, Crime and Police: International Conference, June 1-4, 1992, Budapest, Hungary*. Chur, Switzerland: Harwood Academic Publishers, 1995.
This anthology brings together the papers presented at a policing conference held in Budapest in 1992 which examined the inter-relation of social changes and crime in international perspective, with the aim of maximizing police effectiveness. In his chapter, "Human Rights and the Right of Police to Use Physical Force," Knut Sveri argues that despite their different histories, expectations, and working conditions, police in different nations share a monopoly on the use of physical force. He calls for better training, guidelines and codes on this issue—particularly in the context of greater European union—and critiques governments for yielding to police pressure to reduce people's existing rights in the use of force scenarios. Focusing on Britain, Michael Rowe's essay, "The Police and Stereotypes of Ethnic Minorities," argues that police tend to generalize about minority communities based on their experiences with sections of those communities. Rowe calls for increased recruitment of minority officers and better training on the issue.
[comparative studies/human rights/policing in political transition/minorities]

Shusta, Robert M. *Multicultural Law Enforcement: Strategies for Peacekeeping in a Diverse Society*. Englewood Cliffs, NJ: Prentice Hall, 1995.
[minorities/public relations/North America]

Sichel, Joyce L., Lucy N. Friedman, Janet C. Quint, and Michael E. Smith. *Women on Patrol: A Pilot Study of Police Performance in New York City*. New York: Vera Institute of Justice, 1978.
[police patrol and deployment]

Siemaszko, Andrzej. "Crime and Criminal Justice Policy in Poland: A Look into the Past and into the Future." Paper presented at *Max-Planck Institute*, Freiburg, Germany, September 16, 1996.
[crime/criminal justice, administration of/Eastern Europe, Central Asia, Russia]

———. "Polish Sweeps of the International Crime Victim Survey: A Mixed Bill of Health." Paper presented at *9th International Symposium on Victimology*, Amsterdam, August 25, 1997-August 29, 1997.
[victims of crimes/crime]

Silva, Marlise Vinagre. *Violência Contra a Mulher: Quem Mete a Colher?* São Paulo: Cortez Editora, 1992.
[crime/Latin America]

Silvester, John, Andrew Rule, and Owen. Davies. *The Silent War: Behind the Police Killings That Shook Australia*. Australia: Floradale Productions, 1995.
[police brutality/police misconduct/police shootings/Asia Pacific]

Simey, M. B. *Democracy Rediscovered: A Study in Police Accountability*. London : Pluto, 1988.
[Western Europe]

Skogan, Wesley G. *Disorder and Decline: Crime and the Spiral of Decay in American Neighborhoods*. New York: Free Press, 1990.
[crime prevention/victims of crimes/North America]

———. *Disorder and Decline: Crime and the Spiral of Decay in American Neighborhoods*. Berkeley: University of California Press, 1990.
This book focuses on aspects of neighborhood "disorder," which contributes to neighborhood decline both directly and through the crime it engenders, according to research cited by the author. Skogan identifies two basic types of disorder: social—involving behavioral problems such as public drinking or vandalism—and physical—involving "visual signs of negligence and unchecked decay." Drawing conclusions from some 13,000 interviews in six U.S. cities. Skogan first examines manifestations of disorder and its quotidian impact on community residents. The author then devotes three chapters to a review of three general approaches to minimizing disorder and halting neighborhood decline: community policing, community organizing, and economic development schemes. The relative successes and failures of these attempted solutions are examined in particular contexts, as are the limits and possibilities for broader government interventions. While expressing guarded optimism about community policing as a partial solution, Skogan concludes that "there are

no 'silver bullets' in social policy because .... the political system deflects them, the social system rejects them, and the legal system protects us against them.".
[community policing/crime prevention/criminology/victims of crimes/public relations]

——. "The Impact of Victimization on Fear." *Crime and Delinquency* , no. 33 (1987): 135-54.
[crime/victims of crimes]

Skogan, Wesley G. and Susan M. Hartnett. *Community Policing, Chicago Style*. Studies in Crime and Public Policy. New York: Oxford University Press, 1997.
[community policing/North America]

Skolnick, Jerome H. *Justice Without Trial: Law Enforcement in Democratic Society*. 3rd ed. New York: Macmillan , 1994.
[criminal justice, administration of/North America]

——. *Professional Police in a Free Society*. New York: National Conference of Christians and Jews, 1968.
This short monograph details the legal and administrative standards that Skolnick argues should be used by police departments to determine their efficiency. It focuses on the need for professionalization and reforms in four areas: police attitudes towards the rule of law; police-community relations; substantive criminal law; and the military model in police organization. It also provides a brief history of policing and police reform in Britain and the United States.
[police professionalization/public relations]

Skolnick, Jerome H. and David H. Bayley. *Community Policing: Issues and Practices Around the World*. Washington, DC: National Institute of Justice, 1988.
Describing community policing as "a program of values that achieves changes in the behavior of individual officers toward the public as well as adjustments in organizational practice," Skolnick and Bayley use this report to argue that it can yield substantive benefits—including more effective crime prevention and greater police accountability. Making reference to initiatives in the US, Australia, Canada, Britain, Scandinavia, Singapore and Japan, they define common aspects of community policing, explain its origins, and argue that it requires a change in philosophy as well as practice. In addition, they explore some of the obstacles police executives might face in introducing community policing, and pose questions about its limitations.
[community policing/comparative studies]

——. *The New Blue Line: Police Innovation in Six American Cities*. New York: Free Press, 1986.
The authors approach the issue of police innovation with the conviction that traditional policing methods—such as "saturation patrolling," random motorized patrolling, and rapid response—have generally failed to reduce crime.

With an emphasis on strategies to reduce citizen fear of crime and change officers' "end of the nightstick" approach to policing, the authors examine police reform efforts in Santa Ana, Oakland, Denver, Houston, Detroit, and Newark. Despite differing approaches and degrees of success, each of these cities displays several general "elements of innovation," including police-community reciprocity, decentralization of command, increased foot patrol, and "civilianization," by which departments hire more civilians for non-patrol positions. The authors stress that success in these innovations depends on the leadership ability of chiefs and extensive public support. They also point to resource constraints, which particularly impact departments in poorer cities such as Newark and Detroit.
[community policing/North America/police management and administration/police patrol and deployment]

Skolnick, Jerome H. and James J. Fyfe. *Above the Law: Police and the Excessive Use of Force.* New York: Free Press , 1993.
Above the Law is divided into three sections, each of which addresses a central aspect of police brutality. Section I focuses on the circumstances in which brutality occurs, exploring police participation in "vigilante justice," the brutalization of suspects in interrogation, and police behavior in protests. Section II seeks explanations for brutality by examining the "traditional culture of policing," the role of the police in the war on drugs and crime, and the "insularity" of certain police administrators. Finally, Section III explores remedies for brutality and offers an analysis of administrative reform from an historical and managerial perspective. Also included are chapters on the Rodney King case, accountability—including the roles of the courts, the press, civilian review boards and internal management—and the impact of new models of policing, community—and problem-oriented policing in particular.
[police misconduct/prosecution of police/community policing/police management and administration]

Sloan, R., R. Trojanowicz, and B. Bucqueroux. *Basic Issues in Training: A Foundation for Community Policing.* East Lansing, MI: National Center for Community Policing, Michigan State University, 1992.
[community policing]

Smith, Michael R. "Integrating Community Policing and the Use of Force: Public Education, Involvement, and Accountability." *American Journal of Police* 13, no. 4 (1994): 1-21.
[community policing/police and violence]

South Asia Human Rights Documentation Center. *Alternate Report and Commentary to the United Nations Human Rights Committee on India's Third Periodic Report Under Article 40 of the International Covenant on Civil and Political Rights,* South Asia Human Rights Documentation Center, New Delhi, 1997.
[human rights/South and East Africa]

Sparrow, Malcolm K., Mark Harrison Moore, and David M. Kennedy. *Beyond 911: A New Era for Policing*. New York: Basic Books, 1990.
  [comparative studies/North America/Western Europe]

Spelman, William and John E. Eck. *Problem-Oriented Policing*. Washington, DC: National Institute of Justice, 1987.
  [police management and administration]

Stanley, William, George Vickers, and Jack Spence. *Risking Failure: The Problems and Promise of the New Civilian Police in El Salvador*. Cambridge: Hemisphere Initiatives, 1993.
  [Latin America]

Stephens, Mike and Saul Becker, eds. *Police Force, Police Service: Care and Control in Britain*. Hampshire, England: Macmillan, 1994.
  [Western Europe]

Stevens, Peter and Dianna M. Yach. *Community Policing in Action: A Practitioner's Guide*. Kenwyn, South Africa: Juta and Co., Ltd., 1995.
  Stevens and Yach apply lessons learned from community policing efforts in England to newly democratic South Africa. The authors draw a parallel between South Africa's apartheid-era police apparatus and that which existed in England through the 1970s. Hostility and distrust between immigrant communities and London police culminated in rioting in the Brixton district in 1981. According to the authors, subsequent British police reforms, while not fully successful, helped to identify "some of the principles and practices that are essential to effective policing in a democratic society." The authors explore these principles and practices in the context of the challenges facing South Africa in its transition away from apartheid, providing checklists and references on topics such as individual freedom, citizen participation, examples of community policing, and barriers to effective reform. The penultimate chapter provides guidelines for effective police-community consultation, which the authors consider central to restoring trust between police and disaffected social groups.
  [community policing/South and East Africa/comparative studies/Western Europe]

Stipak, Brian, Susan Immer, and Maria Clavadetscher. "Community Relations: Are You Really Doing Community Policing?" *Police Chief* 61, no. 10 (1994): 115-22.
  [community policing/public relations]

Strecher, Victor G. *Planning Community Policing: Goal Specific Cases and Exercises*. Prospect Heights, Illinois: Waveland Press, 1997.
  [community policing]

Subramanian, K. S. "Police Organization in India: A Historical and Contemporary Assessment." *Indian Defence Review* 10, no. 1 (1995): 35-40.
  [East Asia, South and Southeast Asia/police management and

administration/police patrol and deployment]

Sulton, Anne Thomas. *Inner-City Crime Control: Can Community Institutions Contribute?*
Washington, DC: Police Foundation, 1997.
Taking as its premise that community institutions play a crucial role in inner-city crime, this study examines 18 local programs around the US that are making a preventive impact. The programs described are all affiliated with community institutions including schools, families, churches, businesses, courts and the police. Their approach, development and implementation process are all outlined, and a case example is provided to illustrate their work and constituency. The police programs studied are the East Dallas Community-Police and Refugee Affairs Office in Texas and the Junior Police Cadet Section of the Detroit Police Department.
[community policing]

Sviridoff, Michele. *Calls for Service: Recent Research on Measuring and Managing the Demand.* New York: Vera Institute of Justice, 1982.
This Vera report examines the nature of calls that 911 operators receive; the relationships among response time, arrests, and citizen satisfaction; and recent evaluations of programs designed to manage the "calls for service" workload and devise alternative patrol strategies.
[police patrol and deployment]

————. *Police Patrol Tactics: A Review of Recent Experiments and Research.* New York: Vera Institute of Justice, 1983.
This literature review of research on patrol strategies assesses the impact of increased presence of patrols, community-oriented patrol strategies, and various crime-specific tactics used by special police units.
[police patrol and deployment]

Sviridoff, Michele and Jerome E. McElroy. *Processing Complaints Against Police in New York City: The Complainant's Perspective.* New York: Vera Institute of Justice, 1989.
This 1989 publication is Part II of Vera's study of the functions and operations of New York City's Civilian Complaint Review Board (CCRB). It surveys complainants and officers against whom complaints were filed in order to assess perceptions of and satisfaction with the CCRB process. Based on interviews conducted in 1987, it provides descriptive information about the respondents and their complaints and includes chapters on the experience of filing a complaint, complainant satisfaction with the process of doing so, factors which influence satisfaction, and aspects of the process that might be improved. It recommends that communications with complainants be improved, that the speed of case processing be increased, and that some mediation between complainant and officer be introduced.
[civilian review/complaints against police/North America]

————. *Processing Complaints Against Police: The Civilian Complaint Review Board.* New

York: Vera Institute of Justice, 1998.
This 1988 study of New York's Citizen Complaint Review Board (CCRB)
performs quantitative and qualitative analyses of the disposition of 1984
complaints against the police in order to assess the CCRB's fairness and
consistency. It presents an overview of literature on CCRB, and explains the
structure and processes around which it is organized. The analysis covers types
of complaints filed, details about victims, complainants and subject officers, the
disposition of civilian complaints, stage reached, and outcomes of investigated
complaints. The study concludes that, on the whole, the CCRB dispositional
process is both rational and proportional. An executive summary of the study is
available.
[civilian review/complaints against police]

Sviridoff, Michele, Susan Sadd, Richard Curtis, Randolph Grinc, and Michael Smith.
*The Neighborhood Effects of Street-Level Drug Enforcement: Tactical Narcotics Teams
in New York.* New York: Vera Institute of Justice, 1992.
[police patrol and deployment]

Szikinger, Istvàn. "Challenges of Policing Democracy in Hungary." .
[Democracy/Police Hungary]

————. "Continuity and Change in Hungarian Policing in the Mirror of Public Security
Detention." .
[Police Hungary/Detention]

————. "Judicial Review of Administrative Acts of the Police." .
[Police administration Hungary]

————. "Police and Human Rights in Hungary." .
[Police Hungary/Human rights Hungary]

Taub, Richard P., D. Garth Taylor, and Jan D. Dunham. *Paths of Neighborhood Change:
Race and Crime in Urban America.* Chicago: University of Chicago Press, 1984.
[crime/minorities/public relations]

Tennessee v. Garner, etc., et al. 471 U.S. 1, 105 S.Ct. 1694, 1985.
The decision in this case states that the use of deadly force is only
constitutionally authorized if necessary, as measured against an objective
standard. The father of a boy who was shot by police while fleeing from a
burglary brought action under U.S. federal civil rights statute against the police
officer, the police department and others. Justice White held that apprehension
by use of deadly force is a "seizure" and subject to the "reasonableness"
requirement of the Fourth Amendment. Deadly force would be unreasonable
unless it was necessary to prevent escape and the officer had probable cause to
believe that the suspect posed a significant threat of death or physical injury to
the officer of others. The mere fact that an unarmed suspect had broken into a
dwelling at night did not of itself mean that he posed such a threat. The

Tennessee statute that allowed an officer to use "all necessary means" to effect an arrest after giving notice to the suspect was ruled unconstitutional since it potentially allowed the use of deadly force against suspects who were unarmed and not dangerous.
[use of force/North America.]

The National Council for Civil Liberties (Liberty). *Home Affairs Committee Inquiry into Police Disciplinary and Complaints Procedures: Submission by Liberty*, The National Council for Civil Liberties, London, 1997.
Liberty is a leading civil rights organization in the UK. This paper is their submission to the UK government's inquiry into police complaints and disciplinary procedures. It is critical of the high standard of proof for complaints or disciplinary offenses to be sustained. It is also critical of the Police Complaints Authority's role, insofar as it fails to provide an effective independent monitor in relation to complaints against the police. It is a concise but comprehensive analysis of the shortcomings in a complaints and disciplinary process that is argued to be ineffective.
[complaints against police/Western Europe]

Thurman, Quint and Edmund F. McGarrell. *Community Policing in a Rural Setting.* Cincinnati: Anderson Publishing Company, 1997.
[community policing/North America]

Toch, Hans and James Douglas Grant. *Police As Problem Solvers.* New York: Plenum Press, 1991.
The authors explore the concept and practical implications of "problem-oriented policing," which they describe as "an epidemiological rather than symptom-treating approach to policing." The problem-oriented approach involves identifying the behavioral aspects of crime, encouraging officers to craft and implement solutions to recurrent crime problems, and promoting greater participation within police department chains of command. After discussing the elements and obstacles to problem-oriented policing, the authors move to an extensive treatment of a of a problem-oriented reform program undertaken by the Oakland, CA police department beginning in the late 1960's.
[North America]

Toch, Hans, James Douglas Grant, and Raymond T. Galvin. *Agents of Change: A Study in Police Reform.* New York: Halsted Press Division, 1974.
[North America/public relations]

Tonry, Michael H. and Norval Morris. *Modern Policing.* Chicago: University of Chicago Press, 1992.
This anthology, the fifth in a series on crime and justice supported by the National Institute of Justice (NIJ), provides a critical analysis of contemporary policing initiatives, including patrol and prevention techniques such as problem-oriented and community policing. Moore's essay describes and defines community policing, arguing in favor of its implementation. Reiner critiques the

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over-emphasis on managerial concerns in current research on policing, and calls for a revival of theoretical conceptions. Bayley interrogates the value of using forces and police stations as units of managerial analysis by examining the police in five English-speaking countries. Drawn from the fields of criminal justice, public policy, sociology, and history, the remaining essays cover a diverse range of topics including crime control, technology, and private policing.
[community policing/comparative studies/crime prevention/private policing/public relations]

Trang, Duc V. *Corruption & Democracy: Political Institutions, Processes and Corruption in Transition States in East-Central Europe and in the Former Soviet Union*. Budapest: Institute for Constitutional & Legislative Policy, 1994.
Bringing together the paper presented at a 1994 conference on corruption in East-Central Europe and the former Soviet Union, this anthology examines various aspects of the problem of corruption from a comparative perspective. Though its focus is not exclusively on this region, *Corruption & Democracy* pays particular attention to issues of corruption and accountability in the context of the shift from State socialism to a market-oriented economy. Corruption in civil, political, legal, prosecutorial, financial and governmental contexts is discussed. Included is a chapter by William Burmeister, Chief of the Official Corruption Unit for the New York County District Attorney, which describes measures to address police corruption in New York City and outlines the findings of the Mollen Commission.
[Eastern Europe, Central Asia, Russia/police corruption/politics and government]

Travis, Jeremy. *Measuring What Matters Part Two: Developing Measures of What the Police Do*, National Institute of Justice, Washington, DC, 1997.
The importance of measurement and the collection of data on policing is focused on. This article sets out four principle reasons that empirical measurement of different aspects of policing is beneficial, and then sets out how such measurement may be done. The importance of measuring policing action is discussed in a business/management context. Different perspectives on policing are also set out, with an analysis of how data and statistics can assist in the various concerns that each of those perspectives highlight.
[police management and administration/police reform/public relations/crime prevention/police reform]

Trojanowicz, Robert C. and D. Banas. *The Impact of Foot Patrol on Black and White Perceptions of Policing*. East Lansing, MI: Michigan State University, National Neighborhood Foot Patrol Center, 1985.
[community policing/minorities/police patrol and deployment/public relations]

Trojanowicz, Robert C., R. Gleason, B. Pollard, and D. Sinclair. *Community Policing: Community Input into Police Policy-Making*. East Lansing, MI: Michigan State University, National Neighborhood Foot Patrol Center, 1987.

[community policing/police reform]

Trojanowicz, Robert C., Joanne Belknap, and National Neighborhood Foot Patrol Center. *Community Policing: Training Issues*. East Lansing, MI: National Neighborhood Foot Patrol Center, Michigan State University, 1986.
[police training/North America]

Trojanowicz, Robert C. and Bonnie Bucqueroux. *Community Policing*. Cincinnati: Anderson Publishing Company, 1990.
[community policing]

Trojanowicz, Robert C. and Bonnie Bucqueroux. *Toward Development of Meaningful and Effective Performance Evaluations*. East Lansing, MI: Michigan State University, National Center for Community Policing, 1992.
[police management and administration]

———. *Community Policing and the Challenge of Diversity*. East Lansing: National Center for Community Policing, Michigan State University, 1991.
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———. *Community Policing: How to Get Started*. Cincinnati: Anderson Publishing Company, 1994.
[community policing/crime prevention/North America/public relations]

Tucker, William. *Vigilante, the Backlash Against Crime in America*. New York: Stein and Day, 1985.
[crime prevention/North America/vigilantism]

Uchida, Craig, Lawrence W. Sherman, and James J. Fyfe. *Police Shootings and the Prosecutor in Los Angeles County: An Evaluation of Operation Rollout*. Washington, DC: Police Foundation, 1981.
[police shootings/North America]

Uganda Police Force. *Annual Policing Plan 1998/99*. Kampala, Uganda: Uganda Police Force, 1997.
[police management and administration/South and East Africa]

Uildriks, Niels A. and Hans van Matrigt. *Policing Police Violence*. Aberdeen: Aberdeen University Press, 1991.
[complaints against police/police and violence/Western Europe]

Uildriks, Niels A. and Hans van Mastrigt. *Policing Police Violence*. Boston, MA: Kluwer Law and Taxation Publishers, 1991.
Based upon a study conducted in Glasgow between 1982 and 1988, this book analyzes how police violence is and should be policed in the British context. Uildriks and van Mastrigt tackle the questions of how to react to, prevent, and assess responsibility for police violence through a description of formal police

accountability in England and Scotland, examinations of different categories of police violence, and a critical evaluation of the British complaints procedure. They also provide an occupational analysis of police violence, addressing issues of police-public relations, police culture, and the legal and operational rules that govern police behavior.
[complaints against police/liability of police/police and violence/police brutality/police misconduct/Western Europe/public relations]

United Nations. *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice.* New York: United Nations Publications, 1992.
This is a compilation of various UN documents relating to police conduct. It varies from general documents such as extracts from the Universal Declaration of Human Rights, to more specific items such as the General Assembly resolution on the use of firearms by law enforcement officials. The documents are grouped under the following headings; Standards of General Application; International Cooperation; Treatment of Offenders; The Judiciary and Law Enforcement; Juvenile Justice; Protection of Victims; Capital Punishment; Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Extra-Legal Executions; Convention for the Suppression of the Traffic in Persons, of the Exploitation, of the Prostitution of Others; Human Rights.
[criminal justice, administration of]

—————. *Technical Assistance in Crime Prevention and Criminal Justice: Why, How, and When?* Vienna: United Nations Crime Prevention and Criminal Justice Branch, 1997.
[crime prevention/criminal justice, administration of/police training]

—————. *UN Standards and Norms in the Field of Crime Prevention and Criminal Justice.* Vienna: United Nations Publications, 1995.
[crime prevention/criminal justice, administration of]

United Nations Crime Prevention and Criminal Justice Branch, "Basic Principles on the Use of Force and Firearms by Law Enforcement Officials," adopted by the 8th Crime Congress, September 1990.
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[criminal justice, administration of]

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United Nations International Police Task Force. *Commissioner's Guidance for Democratic Policing in the Federation of Bosnia-Herzegovina (Volumes I and II).* Sarajevo: United Nations Mission in Bosnia-Herzegovina, 1996.
[policing in political transition/politics and government/Central Europe]

United Nations Interregional Crime and Justice Research Institute, Santoro, Carla
Masotti, ed. *A World Directory of Criminological Institutes (6th Edition)*. Rome:
United Nations Interregional Crime and Justice Research Institute, 1995.
Drawn from the results of a survey distributed to some 1,000 organizations
around the world, this widely-used directory lists institutes by country, with
information on contacts, staff, projects in operation, publications offered,
sources of funding, and governing bodies. International as well as nationally-
focused organizations in some seventy-five countries are listed.
[crime/criminology]

Aid to El Salvador. Slow Progress in Developing a National Civilian Police. Washington, DC:
United States Government Accounting Office, 1992.
[police training]

United States Department of Justice. *El Salvador: Efforts to Satisfy National Civilian Police
Equipment Needs*. Washington, DC: USGAO, 1992.
[police management and administration]

————. *Foreign Assistance: Meeting the Training Needs of Police in New Democracies*.
Washington, DC: USGAO, 1993.
[police training]

————. *Police Integrity: Public Service With Honor*. Washington, DC: U.S. Department of
Justice, 1997.
Police Integrity: Public Service with Honor is a report on the proceedings of the
National Symposium on Police Integrity, which took place in Washington, DC in
July 1996 under the sponsorship of the National Institute of Justice (NIJ) and
the Office of Community Oriented Policing Services (COPS), both arms of the
US Department of Justice. The report begins with an executive summary of the
conference, including a description of the NIJ/COPS Action Plan to promote
police integrity, which was shaped in large measure by the recommendations of
the conference participants. Keynote addresses by Stephen Vicchio and Janet
Reno are transcribed (Chapter 2), as are the proceedings of five plenary sessions
(Chapter 3), and those of several small group working sessions on integrity and
ethics (Chapter 4). The fifth and final chapter is a review and commentary of the
conference by Mark Moore of Harvard University. Moore frames his review of
the conference within a discussion of the importance of the concept of police
integrity, its definition in terms of citizens' constitutional rights, and
management and implementation challenges for leaders wishing to promote
integrity among officers. Appendix A provides a contact list of attendees.
Appendix B contains selected issue papers on the panel presentations, and
Appendix contains a bibliography of related sources.
[community policing/police management and administration]

Country Reports on Human Rights Practices for 1996, United States Department of State.
Washington, DC, 1996.
[human rights]

United States Government Accounting Office. *Foreign Aid: Police Training and Assistance: Report to Congressional Requesters.* Washington, DC: USGAO, 1992.
[comparative studies/police training]

United States Senate Committee on Appropriations: Subcommittee on Foreign Operations. *Aid to Panama: Improving the Criminal Justice System: Report to the Chairman, Subcommittee on Foreign Operations, Committee on Appropriations, U.S. Senate.* Washington, DC: USGAO, 1992.
[criminal justice, administration of/Latin America]

Vadackumchery, James. *Human Rights and the Police in India.* New Delhi: APH Publishing Corporation, 1996.
[civil rights/East Asia, South and Southeast Asia/police brutality]

VanRooyen, H. J. N. *Community Policing.* Johannesburg: Thorold, 1995.
[community policing/South and East Africa]

Velázquez Rivera, Luis. *Bamba Violenta.* 1st ed. México: Ediciones Océano, 1985.
[crime/Latin America/politics and government]

Vera Institute of Justice. *Crime Prevention Training Program for Former New York City Police Officers.* New York: Vera Institute of Justice, 1975.
[police training]

Waddington, P. A. J. *Liberty and Order: Public Order Policing in a Capital City.* London: UCL Press, 1994.
[human rights/Western Europe]

Wadman, Robert C. and Stanley E. Sir Bailey. *Community Policing and Crime Prevention in America and England.* Chicago: Office of International Criminal Justice, University of Illinois at Chicago, 1993.
[community policing/crime prevention/North America/Western Europe]

Wadman, Robert C. and Robert K. Olson. *Community Wellness: A New Theory of Policing.* Washington, DC: Police Executive Research Forum, 1990.
This 93-page discussion paper assesses the evolving role of police in United States communities and argues that "America's police have been edging toward the brink of a major change." The authors begin with a brief historical review of the origins of modern policing. Despite technological and organizational advancements, they contend, "America's police organizations have held tenaciously to reactive police theory," focusing on arrests and prosecution rather than dealing with the sources of crime. Wadman and Olson note, however, that over the last thirty years police departments have increasingly worked to proactively prevent crimes by minimizing "both the desire and the opportunity to commit them." Programs such as "Neighborhood Watch" are cited as examples of a new model of crime prevention based on police-community cooperation and the conviction that "community wellness" helps to eliminate

crime at its source. Wadman and Olson go on to describe organizational reforms within police departments that will facilitate a transition from the reactive to the community wellness policing model, and discuss likely obstacles to a successful and effective paradigm shift.
[criminology/community policing/police management and administration]

Walker, Samuel. ""Broken Windows" and Fractured History: The Use and Misuse of History in Recent Police Patrol Analysis." *Justice Quarterly* 1 (1984): 57-90. Walker is heavily critical of the analysis of policing in the "Broken Windows" article of Wilson and Kelling. The idea that police officers need to return to dealing with the small scale problems of criminal activity—the "broken windows"—and small disturbances is not based on an accurate historical analysis, according to Walker. The romantic view of the old "watchman" who patrols his beat on foot, as superior to the modern officer in the patrol car is criticized as an attempt to re-write history. Policing was not more effective or better perceived in those years gone by because of such "watchman" officers, and Wilson and Kelling's attempt to suggest this, with reference to historical data, is attacked by Walker. However, Walker concedes that the model of an officer on foot dealing with the small problems, may be an appropriate way forward as Wilson and Kelling suggest. If such a model were to be adopted, it should be considered afresh. It would have to represent a new approach to policing and should not be confused with a return to an ineffective policing style that was abandoned many years ago.
[alternative policing/community policing/comparative studies/crime prevention/police management and administration/police patrol and deployment/police reform/police training/public relations]

————. *A Critical History of Police Reform: The Emergence of Professionalism.* Lexington, MA: Lexington Books, 1977.
[North America/police professionalization]

————. *The Police in America: An Introduction.* New York: McGraw-Hill, 1983.
[North America]

Walker, Samuel and Vic W. Bumphus. "Civilian Review of Police: A National Survey of the 50 Largest Cities." *Criminal Justice Policy Focus* 91, no. 3 (1991).
[civilian review/North America]

Walker, Samuel and Laurie Fridell. "Forces of Change in Police Policy: The Impact of *Tennessee V. Garner.*" *American Journal of Police* 11, no. 3 (1992): 97.
[police reform]

Walker, Samuel, Cassia Spohn, and Miriam DeLone. *The Color of Justice: Race, Ethnicity, and Crime in America.* Contemporary Issues in Crime and Justice Series. Belmont: Wadsworth Publishing Co., 1996.
[crime/minorities/North America]

Walker, Samuel and Betsy Wright, eds. *Citizen Review of the Police 1994: A National Survey*. Washington, DC: Police Executive Research Forum, 1995.
This brief document examines the prevalence of citizen review procedures in the US in 1994. Building on categories established by Walker and Vic Bumphus in 1991, Walker and Wright classify citizen review boards according to structure, power and extent of citizen involvement. They provide tables that list the name, location and year established of citizen review boards across the country.
[civilian review/North America]

————. "Varieties of Citizen Review: The Implications of Organizational Features of Complaint Review Procedures for Accountability of the Police." *American Journal of Police* 15, no. 3 (1996): 65.
[civilian review/complaints against police/North America]

————. *Citizen Review Resource Manual*. Washington, DC: Police Executive Research Forum, 1995.
[complaints against police/North America/police management and administration]

Ward, Richard H., Editor. *Community Policing for Law Enforcement Managers*. ?: Diane Publishing Company, 1996.
[community policing/police management and administration]

Ward, Richard H. and Robert McCormack. *Managing Police Corruption: International Perspectives*. Chicago, IL: Office of International Criminal Justice, 1987.
This anthology examines different characteristics and forms of police corruption, focusing on its causes, consequences and prevention. The first section consists of a manual that outlines strategies for defining, locating and measuring corruption, offering advice on anti-corruption policy development and its implementation. The second section includes chapters in Belgium, Denmark, Hong Kong, Japan, the Netherlands, and the US and casts these issues in international perspective. These chapters were originally presented as speeches at a symposium entitled, "Maintaining Police Integrity" at the 7th UN Congress on the Prevention of Crime and the Treatment of Offenders in Milan.
[police corruption/police management and administration]

Watson, Elizabeth M., Alfred R. Stone, and Stuart M. DeLuca. *Strategies for Community Policing*. Upper Saddle River, NJ: Prentice Hall, Career & Technology, 1998.
[Police United States/Community policing United States]

Webster, B. and E. Connors. "Police Methods for Identifying Community Problems." *American Journal of Policing* 12, no. 1 (1993): 75-101.
[public relations]

Weisburd, David, James McElroy, and Patricia Hardyman. *Challenges to Supervision in Community Policing: Observations on a Pilot Project*. New York: Vera Institute of Justice, 1988.

This report illustrates problems encountered in supervising community police programs and suggests adjustments by field supervisors to alleviate them.
[community policing/North America]

Weisburd, David and Rosann Greenspan. *Preventing Crime and Increasing Justice Through Policing.* Washington, DC: Police Foundation, 1997.
[crime prevention/police professionalization]

Weisburd, David, Craig D. Uchida, and Lorraine Green, Editors. *Police Innovation and Control of the Police: Problems of Law, Order, and Community.* New York: Springer-Verlag, 1993.
[community policing/North America/public relations]

Weitzer, Ronald John. *Policing Under Fire: Ethnic Conflict and Police-Community Relations in Northern Ireland.* Albany: State University of New York Press, 1995.
[public relations/Western Europe]

Weitzer, Ronald and Cheryl Beattie. "Police Killings in South Africa: Criminal Trials 1986-1992." *Policing and Society* 4, no. 2 (1994): 99-117.
[South and East Africa/police brutality]

Wilfried Scharf. *Proposal Relating to Police/Prosecutor Training About Gangs: Proceeds of Crime Act and Others.* Unpublished paper: 1997.
[police training/policing in political transition/South and East Africa]

Wilson, James Q. *Varieties of Police Behavior: The Management of Law and Order in Eight Communities.* Cambridge: Harvard University Press, 1968.
Wilson examines policing in eight New York, California, and Illinois communities in order to produce a comparative study of police behavior. Among the questions he tackles are the effect of management on police behavior, its other determinants, and problems faced by administrators in defining and realizing its patterns. His central concerns are issues of police discretion, the features of different policing styles (which he breaks down into the watchman, legalistic, and service styles), and the impact of politics on the police. The second edition features a new preface by Wilson.
[North America/police management and administration]

Wilson, James Q. and George L. Kelling. "Broken Windows: The Police and Neighborhood Safety." *Atlantic Monthly* 249, no. 3 (1982): 29-38.
[police patrol and deployment/crime/crime prevention]

————. "Making Neighborhoods Safe." *Atlantic Monthly* 263, no. 2 (1989): 46-52.
[crime prevention]

————. "Police and Neighborhood Safety: Broken Windows." *Atlantic Monthly* 249 (1982): 29-38.
By a combination of historical analysis and personal research, Wilson and

Kelling emphasize that policing philosophy has shifted from 'order maintenance' to 'law enforcement.' They claim that the traditional officer who walked the streets provided a visible and tangible symbol of police presence. Without that presence the small indicators of social decay—"broken windows"- lead to a community more inclined to perceive itself in decline. Such areas become vulnerable to criminal invasion. In analyzing the problems with modern policing philosophy, Wilson and Kelling indicate that the officer who is more approachable is preferable to the modern officer sitting in the patrol car. They also suggest that firm individual police action in order to maintain public order on a small scale, is another key to preventing urban decay. A return to an "earlier era" of foot-patrols and neighborhood police officers who were sometimes intolerant of minor offences, is suggested as an appropriate model upon which to base effective policing in urban areas.
[alternative policing/community policing/crime prevention/police management and administration/police reform/public relations]

Winkel, F. "The Police and Reducing Fear of Crime: A Comparison of the Crime-Centered and the Quality of Life Approaches." *Police Studies* 11 (1988): 183-89.
[crime/crime prevention]

Winters, Paul A., ed. *Policing the Police*. San Diego: Greenhaven Press, Inc., 1995.
This anthology brings together a group of short essays that present a range of opinions on police corruption, police brutality, and police-community relations in the United States. *Policing the Police* features the recommendations made by the Christopher Commission, which was formed in response to the 1991 beating of Rodney King in Los Angeles, and the Mollen Commission, which investigated corruption in the New York Police Department in 1992. It also presents proposals for reforming policing—including essays on community-oriented policing and civilian review boards—as well as interrogations and critiques of reforms.
[community policing/police brutality/police corruption/North America]

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[community policing/North America/police management and administration]

Yu, Alan K. *U.S. Assistance to Foreign Police Forces*. Washington, DC: Congressional Research Service, Library of Congress, 1989.
[police training]

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[community policing/North America]

Ziembo-Vogl, J. and D. Woods. "Defining Community Policing: Practice Versus Paradigm." *Police Studies* 19, no. 3 (1996): 33-50.

[community policing]

Zvekic, Ugljesa. *Essays on Crime and Development.* Rome: United Nations Interregional
Crime and Justice Research Institute, 1990.
[crime/criminology]

Zvekic, Ugljesa and Anna Alvazzi Del Frate. *Criminal Victimization in the Developing
World.* eds. New York: United Nations Publications, 1995.
This study is built on the results of an international survey of crime victims in
developing countries, conducted between 1992 and 1994. The authors note that
victim surveys complement more traditional approaches to compiling crime
data, which generally involve examination of official police and judicial records.
While valuable, information gathered from such sources "provides only for an
internal measure of the functioning of the criminal justice administration." In
contrast, this victim survey directly questioned sample citizen groups in cities
throughout the developing world to determine their experience and perception
of local crime. The first part of the book presents the overall results in
comparative form, presenting crime victimization statistics for five regions: Sub-
Saharan Africa, North Africa, Latin America, Asia, and the Asian Pacific. The
survey devotes particular attention to the frequency of and attitudes toward
"sexual incidents," discussing reporting rates and victim assessment of these
incidents. The second part discusses the results of individual surveys conducted
in thirteen cities in the developing world: Kampala, Dar Es Salaam,
Johannesburg, Cairo, Tunis, San Jose, Buenos Aires, Rio de Janeiro, Beijing,
Bombay, Jakarta, Manila, and Port Moresby (Papua New Guinea).
[comparative studies/crime/East Asia, South and Southeast Asia/Latin
America/Middle East, North Africa, West Africa/South and East Africa/victims
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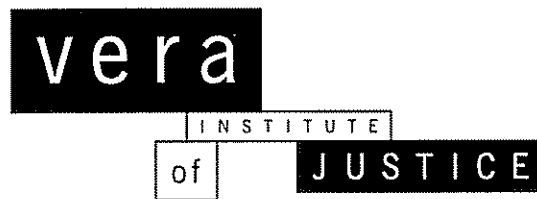
Working Papers

Thomas E. Perez *External Governmental Mechanisms of Police Accountability:*
Three Investigative Structures
Boris Pustintsev *Police Reform in Russia: Obstacles and Opportunities*
Monica L. Macovei *Police Impunity in Romania: Military Jurisdiction Over Misconduct Cases*

Policing Diverse Societies:
Hugo Frühling E. *Introduction*
Jorge da Silva *The Favelados in Rio de Janeiro, Brazil*
István Szikinger *The Roma in Hungary*
Jerry Sanders *Racial and Ethnic Minorities in San Diego, United States*

External Governmental Mechanisms of Police Accountability: Three Investigative Structures

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An effective and accountable system of policing is essential to a democracy. It is also extremely difficult to establish. In most new democracies, such as South Africa, the police historically have been agents of government-sponsored oppression. It is easy to understand why many South Africans do not believe that the police can be "a source of protection, empowerment and liberty."[1] Even mature democracies such as the United States struggle to meet the fundamental challenge of policing: to develop a system that preserves law and order while respecting the rule of law.

Unfortunately, this challenge is frequently framed in "either/or" terms: The police must either preserve law and order or respect the rule of law. This dichotomy is not only false but dangerous; democracies need not choose between safety and human rights.

To establish an effective and accountable system of policing, democracies need multiple mechanisms of control—both internal and external, governmental and nongovernmental. This paper focuses on external governmental mechanisms. Although run by the government, they are independent of the police force. They have varying degrees of oversight authority. For example, public integrity units of prosecutors offices—local, state, and federal—investigate and prosecute police misconduct cases. Ombudsman offices serve as a clearinghouse for complaints against law enforcement and attempt to resolve them. They generally lack the authority to prosecute alleged wrongdoing. Inspectors general have a broad mandate to investigate and root out waste, fraud, corruption, and brutality by preparing reports that make wide-ranging recommendations for structural change. They also lack the power of prosecution. Whatever their authority, external governmental mechanisms have four basic objectives: enforcing laws that proscribe police misconduct, promoting public confidence in the government, deterring police misconduct, and encouraging systemic reform.

This paper compares three investigative structures—the federal grand jury system in the United States, the recently established Independent Complaints Directorate (ICD) in South Africa, and the National Human Rights Commission in India. It analyzes the extent to which they meet the four goals, identifies ways to improve them, and determines whether lessons from one are transferable to the others.

The Federal Grand Jury System in the United States

Overview

The United States Department of Justice plays an important role in curbing police misconduct by all law enforcement officials—local, state, and federal. It is a federal crime for any official "acting under color of law" to "willfully deprive" any person of a right guaranteed by the Constitution or laws of the United States.[2] The rights include the right to be free from the use of unreasonable force and the right to not have false evidence knowingly presented by a law enforcement officer. Acting "under color of law" simply means using authority given by the government.

The Civil Rights Division of the Justice Department—working in tandem with United States Attorneys' offices throughout the nation and the Federal Bureau of Investigation (FBI)— reviews, investigates, and prosecutes complaints of misconduct against police officers and prison officials. In 1997, the Civil Rights Division reviewed approximately 8,000 complaints of police misconduct.[3] The vast majority of complaints were lodged against local police officers (as opposed to corrections officers or federal officers).

Once a case has been opened, the Federal Bureau of Investigation, which has field offices throughout the country, conducts a preliminary investigation and submits a report to the Civil Rights Division and the United States Attorney's office. A prosecutor reviews the report and either closes the case by declining prosecution, requests additional investigation by the FBI before making a final decision, or determines that there is sufficient evidence to warrant presentation to a federal grand jury.

The vast majority, 98 percent, of cases reviewed by the federal government are not presented to a grand jury.[4] Federal authorities most commonly decline cases because the officer's actions do not constitute a federal criminal violation or because the evidence does not corroborate the allegations. In limited circumstances, they decline prosecution because the local police department, or the local district attorney's office, has already taken appropriate action against the officer.

Operation of the Federal Grand Jury In Police Misconduct Cases

Although used only in a small percentage of police misconduct cases, the federal grand jury is a vital weapon against police misconduct. In fact, it would be exceedingly difficult, if not impossible, to investigate police misconduct effectively without a federal grand jury.

The immediate goal of a federal grand jury in police misconduct cases is to determine whether there is sufficient evidence (probable cause) that the officer committed a crime. The two ancillary objectives of a federal grand jury are to maintain public confidence in government, the rule of law, and the police department and to deter

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police misconduct. As I will show, it is not clear whether the federal grand jury can achieve its ancillary goals.

The grand jury consists of 23 people roughly representing a cross-section of the community, empanelled by a federal judge.[5] Grand jury service is frequently more onerous than service on a trial jury, because a grand jury meets a certain number of times each week or month for a period of often more than a year. For example, a grand juror might be required to appear once a week for 18 months. The role of the grand jury is to hear evidence presented by a prosecutor to determine whether there is probable cause. If at least 12 grand jurors find probable cause, then an indictment is returned charging a defendant with a crime. If fewer than 12 grand jurors find probable cause, then no charges are returned.

Secrecy is the lynchpin of the federal grand jury system. All proceedings are conducted in secret. The only people at a grand jury session are the jurors, the prosecutor, the witness, and a court reporter. If a witness is represented by counsel, the attorney is not permitted to be at the proceedings. Everybody is sworn to secrecy, except the witness. A witness's testimony will not be disclosed unless there is a trial. If a trial takes place, a prosecutor is not required to turn over the testimony until immediately after the witness has testified.

The purpose of the secrecy provisions is twofold. First, they protect the target of the investigation by ensuring that allegations, which may or may not have merit, are investigated privately. Disclosure of the investigation could unfairly besmirch the reputation of the target. Second, as discussed in more detail below, they provide assurances to witnesses.

Subpoena authority is the second critical feature of the federal grand jury system. The grand jury can issue subpoenas compelling the appearance of witnesses and the production of evidence, such as personnel files, radio transmissions, police reports, and duty rosters. Subpoena authority benefits not only the prosecutor and the grand jury, but also police departments and officers themselves. A documents subpoena protects the integrity of departments by taking the question of whether to turn over documents largely out of the their hands. A federal grand jury that could not compel departments to turn over documents would put them in an untenable position. If a department chose to cooperate, it would damage morale; some officers would conclude that the department had prejudged the officer. On the other hand, if the department refused to comply, it would undermine public confidence. Similarly, officers are understandably reluctant to provide inculpatory evidence against a fellow officer. A subpoena leaves them little choice but to testify.

Federal grand jury investigations in police misconduct cases are much different than those in virtually all other types of cases. For example, a grand jury presentation in a

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federal drug case is typically succinct. The case agent handling the investigation will make a summary presentation of facts to the grand jury. No other witnesses are called, and an indictment is then presented for the grand jury's consideration. By contrast, federal prosecutors in police misconduct cases make full and frequent use of the secrecy and subpoena features of the grand jury. In the typical police brutality investigation, many police officers who have critical, often inculpatory information, are exceedingly reluctant to testify. The so-called "code of silence" or "blue code" is frequently difficult to penetrate. Subpoena authority enables prosecutors to compel their testimony. Because the proceeding takes place in secret, without an attorney for the target to cross-examine the witness, it offers police officers and other witnesses a safe haven to tell the truth.

At the same time, the grand jury provides an opportunity for a prosecutor to neutralize potentially adverse witnesses. In police misconduct investigations, there are frequently a number of potential witnesses who are loyal to the subject officer and therefore hostile to the case. It is important to question these individuals in the grand jury. Such questioning ensures that the grand jury hears from all potential witnesses, not simply a few handpicked ones who offer only one side of the event. If the witnesses offer exculpatory evidence, this will inform the grand jury's search for the truth. Often, the witness's testimony is inconclusive in that it does not help the grand jury determine whether there is probable cause. However, it is important to lock in such testimony to ensure that there are no surprises if the case proceeds to trial.

Case Study: *United States v. Bryant and Ackison*
The federal prosecution of William Ackison and David Bryant illustrates the importance of the federal grand jury system in combating police misconduct. Ironton is a small, rural town in the southeast corner of Ohio. As in many such towns, the chief of police wields considerable power, and there are no external mechanisms of control, such as civilian review boards. The federal government is effectively the only mechanism of control. When the federal investigation began in 1990, William Ackison was chief of police. His department consisted of approximately 20 officers, one of whom was David Bryant, Ackison's son-in-law.

The FBI received complaints from two residents of Ironton alleging that Officer Bryant used unreasonable force against them. In both incidents, the victims sustained multiple lacerations to the head when Officer Bryant struck them with his nightstick. After a brief investigation, an FBI agent discovered that civilian and police witnesses were reluctant to cooperate because they were afraid of Chief Ackison. The situation worsened when Chief Ackison circulated a carefully drafted memorandum informing all employees that they were not required to talk to the FBI agent. Most employees interpreted this memorandum to mean that they were not *permitted* to talk. Moreover,

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Ackison explicitly told one officer that if he testified, he would be fired.

In this climate of fear, the agent had enormous difficulty conducting a full investigation. As a result, a federal grand jury investigation was initiated. The assurance of grand jury secrecy was critical in giving comfort to both police and civilian witnesses who had seen Officer Bryant use excessive force.

Using its subpoena authority, the grand jury obtained Officer Bryant's personnel file and police reports. This information, along with interviews of police personnel, enabled investigators to identify at least eight other unreported incidents of potential brutality involving Officer Bryant. The officers who were loyal to Bryant and Ackison were also subpoenaed to testify. At the conclusion of the grand jury investigation, Bryant was charged with five violations of federal law in connection with five separate incidents of alleged brutality, and Ackison was charged with two counts of obstruction of justice. Bryant and Ackison were convicted and sentenced to 63 and 46 months of incarceration, respectively.

The prosecution was successful precisely because of the grand jury investigation. The grand jury was a safe haven for many witnesses who offered critical inculpatory evidence. Officers who remained loyal to Bryant and Ackison were ineffective trial witnesses because they had already testified before the grand jury and were easily impeached when they attempted to change their testimony. The documents subpoena enabled investigators to identify additional incidents of brutality involving Bryant. The case was effectively over before the trial began.

The prosecution also served the ancillary purposes of a grand jury investigation. In many respects, Ironton had become Chief Ackison's fiefdom. Feeling above the law, he intimidated officers into silence. The investigation and prosecution began to restore the community's belief in the rule of law and respect for their government. The prosecution sent a clear message to the officers that the federal government will vigorously investigate police misconduct. Years later, officers vividly recalled the prosecution and expressed a strong desire to avoid a repeat.

Problems with the Grand Jury Structure

Although the federal grand jury structure worked well in the Ironton case, it is subject to criticism on at least four levels:

Too Much Power for the Prosecutor. Under this system, prosecutors wield tremendous power, which they exercise secretly. Some critics contend that the system vests too much power in prosecutors. Prosecutors respond that the high conviction rates are proof of their discretion. Nonetheless, it is undeniable that potential for abuse exists. The grand jury and the courts are designed to serve as a check on the power of prosecutors. Unless

these systems are vigilant and fully operational, the potential for abuse increases.

Secrecy as a Double-Edged Sword. Secrecy is essential to the immediate purpose of the grand jury system, which is to determine whether there is probable cause. As the Ironton case illustrates, secrecy is especially important in police misconduct investigations. But the secrecy provisions are often at odds with the ancillary purposes of the grand jury—to promote public confidence and to deter police misconduct. In fact, the grand jury structure is not designed with the ancillary purposes in mind.[6] A substantial number of grand jury investigations of police misconduct do not produce an indictment. The secrecy provisions substantially limit a prosecutor's ability to explain decisions and forbid jurors from doing so. As a result, especially in highly charged incidents that have attracted widespread attention, a substantial portion of the community is unwilling to accept the decision. Similarly, police officers, forced to speculate about grand jury proceedings, may come to distrust and resent the system. The best way for a prosecutor to cope with this problem is to earn the trust and confidence of the public and the law enforcement community, so that there will be greater acceptance of decisions.

Limited Scope of the Grand Jury Inquiry. The grand jury inquiry is limited to one question: Is there enough evidence that the officer committed a federal criminal offense to warrant formal charges? There is no room to address other questions that may be equally if not more important. For example, are there institutional deficiencies in the police department that foster misconduct? Often, by the conclusion of an inquiry, the grand jury has developed an intricate knowledge of the police department and has many constructive ideas for change. Unfortunately, there is no provision in federal law for tapping into this knowledge.

Labor-Intensive Nature of Grand Jury Inquiry. Because of limited resources and because federal grand jury investigations into police misconduct are labor-intensive, prosecutors take on a relatively small number of cases. Critics question whether many incidents of misconduct go unpunished and whether enough cases are investigated and prosecuted to deter abuse.

Conclusions

The federal grand jury structure reflects enormous public trust in the professionalism of prosecutors. Prosecutors rely on police officers to solve criminal cases and understand that their job is exceedingly difficult. But it is a job that becomes more difficult when officers abuse their authority. Fortunately, the overwhelmingly percentage of law enforcement officers in the United States are conscientious and law-abiding. They stand

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to benefit the most from a federal grand jury system that vindicates innocent officers and facilitates the prosecution of those who threaten to undermine public confidence in law enforcement.

The Independent Complaints Directorate (ICD) in South Africa

Introduction

In recent years, South Africa has undergone a remarkable transformation to democracy. Jeremy Sarkin points out that there are three types of transitions to democracy: overthrow, reform, and compromise.[7] The nature of the transition has a profound impact on the type and quality of internal and external oversight mechanisms that can be put in place. South Africa's transition to democracy has been one of compromise. While it is certainly remarkable, laudable, and preferable that the country avoided full-fledged armed conflict, the power-sharing arrangement between the African National Congress and the apartheid regime makes reform more difficult. The government cannot abolish the historically oppressive South African Police Service (SAPS); to a large extent, reform must occur within the existing structure.

Two additional forces further complicate the reform effort. First, the Truth and Reconciliation Commission (TRC) has exposed the atrocities of the apartheid regime in gripping detail. Bishop Desmond Tutu is correct when he asserts that the transformation to democracy cannot occur without a public accounting of the horrors of apartheid. "A police institution that has regularly killed, injured, and tortured so many South Africans—sometimes within the legal rules and sometimes without—requires denunciation if it is to be transcended."[8] Although the TRC has increased South Africans' desire for police reform, it has also intensified their already-deep distrust of the police. The SAPS will thus have even more trouble presenting itself as an organization worthy of respect.

Second, South Africa's crime rate is astronomical. The homicide rate of 50 per 100,000 is more than five times that of the United States and 50 times that of the Netherlands and England.[9] Rampant crime breeds tolerance for an ends-justifies-the-means method of policing and weakens the public demand for strong systems of police accountability.[10] Appreciating this backdrop is critical to understanding the structure of the Independent Complaints Directorate (ICD).

Basic Structure of the Independent Complaints Directorate

Section 222 of the Interim Constitution, adopted in 1993, provided for the establishment of "an independent mechanism under civilian control, with the object of ensuring that complaints in respect of offenses and misconduct allegedly committed by members of

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the Service are investigated in an effective and efficient manner."[11] The challenges that the ICD confronts can be traced in part to this language from the Interim Constitution. While calling for an independent mechanism under civilian control to *investigate* alleged police misconduct, the constitution does not refer to the establishment of a mechanism to *prosecute* police misconduct. The ICD lacks authority to take action against the officers whom it investigates.

Statutory Framework. The ICD was formally established in 1995 by chapter 10 of the South African Police Service Act. Chapter 10 states that the ICD's "principal function" is to achieve the objective set forth in Section 222 of the Interim Constitution.[12] Under the terms of the statute, the ICD *must* "investigate any death in police custody or as a result of police action."[13] In addition, the ICD *may* investigate any misconduct allegedly committed by a member of the SAPS and *may* investigate any matter referred by the Minister for Safety and Security or a member of the Executive Council. The ICD may refer any nondeath investigation to a police commissioner for investigation, and the ICD can dictate and oversee the terms of the investigation.[14]

The executive director of the ICD is nominated by the Minister for Safety and Security, who is also responsible for the SAPS. The executive director is required to consult with the Minister in making hiring decisions, and the Minister sets the terms of employment. It appears that the Minister has veto power over hiring decisions. The Executive Director must also consult with the Minister in engaging the services of experts. Especially in the investigation of death cases, the ICD's primary mission, it is frequently necessary to enlist experts.

The executive director may submit the results of an investigation to the attorney general, who may take action. The executive director may also make recommendations to the relevant commissioner. The recommendations can be broad. The executive director may, for example, propose specific action against a particular officer or systemic reform. However, as noted earlier, the ICD lacks the authority to initiate criminal charges or disciplinary action against officers.

Initial Period of Operation. The ICD officially opened its doors on April 1, 1997 under the leadership of a respected, experienced attorney, Neville Melville.[15] The ICD identified seven overlapping operational goals:

- independence of ICD
- effective civilian control over the ICD
- effective investigation of complaints against SAPS
- assurance that police misconduct does not go undetected

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- public confidence in both the SAPS and the ICD
- deterrence of police misconduct
- transformation of SAPS into a body that deserves and receives public respect
- support in preventing and combating crime[16]

The ICD established a four-tiered triage system for handling complaints.[17] A Class I complaint alleges that a death occurred while a person was in police custody or as a result of police action. These complaints are investigated by ICD staff. A Class II complaint is one that is referred to the ICD by the Minister or a Provincial Executive. Depending on the circumstances, these complaints are classified as a Class I, Class III, or Class IV.

A Class III complaint alleges that an officer committed a serious criminal offense (rape, torture, arson, theft, fraud, corruption) or that serious bodily injury occurred while a person was in police custody or as a result of police action.[18] Class II and III offenses may be investigated by the ICD; alternatively, the Executive Director can refer the case to the SAPS and can set the conditions and guidelines of the SAPS investigation. A Class IV complaint alleges offenses not covered by Class III and those that did not result in either death or serious bodily injury.

Due to a shortage of investigators, the ICD initially referred all complaints to the SAPS for investigation. The intention was to create a structure that enabled ICD to investigate all death cases as of July 1, 1997. Based on information provided by the SAPS, the ICD projected that it would investigate approximately 225 Class I complaints and a total of 20,000 complaints a year. However, in the first three months of operation, 191 people died in police custody or as a result of police action. This figure extrapolates to almost 800 Class I cases per year—about the same number as in 1985, when the country was engulfed in violence.[19] The volume of cases has made it impossible for ICD to achieve its initial goal.

Challenges Confronting the ICD

It is much too early to make a definitive judgment about the ICD. However, there are a number of serious problems that must be addressed in order for the ICD to perform effectively.

Lack of Enforcement Power. The ICD's lack of enforcement power is perhaps its most serious flaw. Unable to initiate criminal or administrative charges, it makes recommendations to the attorney general, the commissioner of the SAPS, and the Minister of Safety and Security.[20] Police officials and prosecutors are free to disregard the reports and recommendations of the ICD. The lack of enforcement authority would be less significant if the SAPS had adequate internal mechanisms. However, the SAPS is

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woefully weak at policing itself. The ICD has wisely called on the government to enact legislation that would permit the ICD to initiate criminal prosecutions in certain circumstances and enforce recommendations of disciplinary action.[21]

The ICD's lack of enforcement authority illustrates the aforementioned problems created by the way the new government emerged. When the legislation establishing the ICD was being considered, numerous nongovernmental organizations made strong pleas to the National Assembly to give enforcement powers to the ICD.[22] Unfortunately, the National Assembly Portfolio Committee on Safety and Security made no substantive amendments to the ICD enabling legislation.

The ICD is reminiscent of the Goldstone Commission, formally the Commission of Enquiry Regarding the Prevention of Public Violence and Intimidation. Chaired by Justice Goldstone, a respected jurist, the Commission was one of the first Peace Accord structures in South Africa. It was empowered to investigate allegations of state-sponsored violence. The Goldstone Commission could make recommendations but had no power to ensure that they were implemented. This prompted Justice Goldstone to remark, "The Commission by no means expects that recommendations made by it should necessarily be accepted or implemented. It does expect, however, that they will not be ignored."[23]

Lack of Resources. The ICD lacks financial resources, and many of the additional problems described herein flow from this basic deficiency. The SAPS has 140,000 members and no credible internal structure to investigate wrongdoing. It is impossible to expect a staff of approximately 30 to conduct 800 investigations into suspicious deaths, let alone torture, rape, and corruption. The chance of bringing an offending officer to justice is infinitesimal. It is a cruel hoax to set up an elaborate oversight operation, which raises public expectations, only to undermine it through underfunding.

Lack of Authority to Resolve Cases Through Conciliation or Mediation. Considering the ICD's lack of resources, it is important to find alternative ways to resolve cases. For example, rather than expending substantial resources on investigations that may not be conclusive, the ICD could in some cases mediate mutually acceptable resolutions. Such efforts would enable the ICD to involve complainants in a more meaningful way. Developing a mediation process that brings complainants and police officials to the table, with the ICD as a referee, would promote public confidence in both the ICD and the SAPS. Currently, the ICD lacks such authority, although in its annual report, the executive director recommends an amendment to existing legislation that would allow the ICD to employ alternative dispute resolution methods in certain situations. Of course, mediation would be effective only if ICD also had enforcement authority. Otherwise, police officers, knowing that the ICD lacks the authority to prosecute them,

would have little incentive to work out a resolution.

Lack of Trained Investigators. In many respects, any police oversight organization is only as effective as its investigators. Unfortunately, there is a chronic shortage of trained, professional investigators who are sufficiently independent from the SAPS. Skilled investigators are hard to come by. Police misconduct cases are among the most difficult to investigate effectively. Officers are frequently reluctant to testify against fellow officers; citizens are reluctant to come forward; and the victims often have a checkered history. Even in South Africa, investigating police misconduct is frequently an unpopular cause, because there exists a "climate of public outrage against crime" that leads people to tolerate police abuse.[24] It takes a unique breed of investigator to perform this function effectively. Regrettably, because there is no tradition of democratic policing in South Africa, the pool of investigators is quite small.

As noted earlier, the ICD's original plan was to borrow 70 investigators from the SAPS. The plan unraveled at the eleventh hour in a dispute over who would pay for the investigators. It is probably for the better. The distrust of the SAPS is so deep that the ICD may have faced an immediate crisis of credibility had it enlisted SAPS employees. Fortunately, the ICD has recognized that it must develop its own investigators.

Poorly Defined Investigative Powers. Even trained investigators have difficulty conducting effective investigations without the proper tools. The investigation and prosecution of David Bryant and William Ackison, described earlier, illustrates the importance of unfettered access to information in a police department. The ICD statutory tools are not clearly defined. For instance, the executive director "may request and obtain information from any Commissioner or police official as may be necessary for conducting any investigation, [and may] request and obtain the cooperation of any member as may be necessary to achieve the object of the Directorate."[25] It would appear that the ICD has broad powers—the ability to subpoena, compel testimony, and obtain evidence. In practice, however, this authority is much less clear, and it is too easy for the police to stonewall. In the ICD annual report, the executive director articulates the need for legislation ensuring "unrestricted access to police dockets and other information held by SAPS."[26]

Inadequate Protection for Witnesses. In most instances, cases cannot be proven without public cooperation. The legislation creating the Goldstone Commission included provisions permitting evidence to be given in secret. But some witnesses who gave information to the Commission were murdered. It is difficult to overstate public fear of cooperating in police misconduct investigations. The Act gives the Minister (as opposed

to the executive director) the authority to establish witness protection programs and programs that preserve the integrity and confidentiality of the complaint process. Entrusting the Minister, instead of the ICD, to establish procedures to protect witnesses is akin to having the fox guard the hen house.

Flawed Triage System. The triage system, while understandable in light of limited resources, presents serious problems. Required by law to investigate all death cases, the ICD makes them its first priority. However, because of resource constraints, the ICD focuses almost exclusively on death cases. The narrow focus presents at least two problems. First, death cases are the most difficult to prove. A critical witness, the victim, is dead, and shootings frequently occur quite fast, making it difficult to determine the officer's intent. Second, the ICD does not give priority to investigating officers who have been the subject of many complaints or who have allegedly committed brutal acts short of murder, such as torture—even though they are the officers most likely to eventually commit murder. The ICD must in effect wait for officers to kill before it takes action.

Until the ICD has the resources to investigate the full range of misconduct, it should be permitted to establish its own priorities. It could choose, for example, to focus on a case involving an officer who has been the subject of a dozen complaints instead of an alleged suicide at a jail. If rooting out corrupt, brutal officers is a goal, it does not follow that death cases—though of course important— should invariably be the first priority. As allegations of torture or other outrageous conduct go uninvestigated and officers commit abuse with impunity, the public and the police will see that the ICD lacks teeth.

Flawed Intake System. It is essential to gauge the magnitude of the problem. Developing a workable intake system will help the ICD accomplish this goal. The enabling legislation provides that the executive director, in consultation with the Minister of Safety and Security, shall establish procedures regarding the "lodging, receiving and processing of complaints." Currently, many victims of police misconduct fail to report the event. Perhaps they think that nothing will be done. Or they may fear retaliation. Or they may not know how to lodge a complaint. There is also concern that SAPS fails to document numerous complaints it receives.

Without a proper intake structure, under-reporting will persist. Unfortunately, the ICD was given little statutory guidance. The ICD must work at a number of levels to improve intake. First, establishing a physical presence throughout the country is critical. At present, the ICD has a national office in Pretoria and regional offices only in Gauteng, KwaZulu-Natal, and Western Cape. The ICD plans to expand to a number of additional locales. Second, the ICD must implement a stricter oversight structure that ensures that the SAPS complies with its obligation to report complaints to the ICD. Third, the ICD

must inform complainants of relevant developments in the investigations. When the legislation establishing the ICD was being considered, many nongovernmental organizations expressed valid concerns about the lack of provisions requiring the ICD to keep the victim informed.[27] It is important to develop mechanisms (such as victim/witness coordinators) to ensure that people who are victimized by the police are not victimized a second time by the complaint process.

Future Prospects

Given the legacy of police oppression in South Africa, the establishment of the Independent Complaints Directorate is historic and long overdue. It is much too early to pass judgment on its prospects for success. There is a strong public mandate to reform police institutions, and the ICD is staffed by well-respected, committed professionals, starting at the top. Regrettably, the ICD has not yet been given the statutory tools and financial resources to fulfill its vital mission. The question remains: Has the system been set up to fail? Only time will tell.

The National Human Rights Commission in India

Historical Perspective

Since its independence, the government of India has expressed a strong desire to protect its residents from police abuse. Throughout Indian law, there are provisions enumerating the right to be free from police abuse. For instance, Article 21 of the Constitution provides that "no person shall be deprived of his life or personal liberty except according to procedure established by law." Other provisions forbid coerced confession and the use of unreasonable force by police officers. The National Police Commission established a code of behavior for police in 1977, and the government of India promulgated twelve principles for police conduct in 1995, which include respect for the Constitution.[28]

Regrettably, the laws stands in sharp contrast to the reality of police misconduct. In a survey of police officers, more than 50 percent said that they had used torture against civilians accused of crimes. Eighty-seven percent said that they had threatened people during an interrogation.[29] In a survey of civilians, 62 percent said that they strongly believed that the use of torture and other third degree methods have become standard operating procedure for police.[30] Deaths in police custody or as a result of police action are unacceptably common. India has the largest population of street children in the world, estimated at 18 million. These children are especially vulnerable to police abuse. According to a 1996 Human Rights Watch Report, "Indian street children are routinely detained illegally, beaten and tortured and sometimes killed by police."[31] There have been

numerous complaints of human rights abuses by Indian security forces in various states, most notably Kashmir, Jammu, and Punjab.

Equally troubling is public opinion. In a public opinion survey, 84 percent of people agreed that accused criminals deserved harsh treatment from the police.[32] Thus, despite the rights enshrined throughout Indian law, it appears that many officers and civilians believe that Indian society cannot be policed without violating human rights.[33] It is against this backdrop of skepticism that the National Human Rights Commission was created in 1993.

Overview of National Human Rights Commission

Purposes and Powers of the National Human Rights Commission. In 1993, India was under considerable attack from the international community for alleged human rights abuses by security forces in violence-torn Kashmir, India's only Moslem majority state. Largely in response, the Indian government passed the Protection of Human Rights Act of 1993 (PHRA).

The main purpose of the PHRA is to ensure better protection of human rights, which are those defined as those "relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India."[34] To that end, the Act created the five-member National Human Rights Commission (NHRC), headed by a chairperson required to be a former chief justice of the Supreme Court. Previously, it was difficult to file a complaint against the police. For example, individuals seeking to file complaints of police brutality against suspects who were in custody had to file a lawsuit or request that the government investigate the matter. The government had the authority to decide whether the complaint should be investigated by the police, a separate department, or by a judicial commission. The system undoubtedly deterred victims from filing complaints, and thereby exacerbated the problems of police abuse. The NHRC was formed to field complaints and to investigate allegations of "violation of human rights or abetment thereof; [and] negligence in the prevention of such violation, by a public servant."[35] It was also given statutory authority to:

- intervene in court cases alleging human rights violations (only with the approval of the court)
- review human rights laws and safeguards currently in place
- identify factors that inhibit enjoyment of human rights (e.g., acts of terrorism) and recommend remedial measures
- make recommendations to ensure that international human rights declarations are implemented

- undertake and promote research in human rights
- promote public awareness of human rights laws
- assist nongovernmental organizations working on human rights issues

The NHRC's powers are broad. They are not limited to investigating individual complaints of police abuse and recommending action. The NHRC also has the authority to investigate the underlying factors that gave rise to the incident, recommend structural improvements that may assist in preventing future misconduct, and recommend that the victim receive monetary compensation from the offender. It can also educate the public.

The PHRA provides the NHRC with an array of tools to carry out its investigative functions, including the power to subpoena witnesses and examine them under oath (subject to certain privileges that a witness may assert); obtain discovery and production of documents; and enter a building or place where it suspects that it may find relevant evidence to conduct a search and seize documents (subject to certain rules of criminal procedure). Statements made before the NHRC cannot be used against people in any civil or criminal proceeding except in a prosecution for perjury.

In addition to creating the NHRC, the PHRA authorized the creation of state human rights commissions. In a country as large and populous as India, it is impossible for one central authority to investigate all allegations of police abuse. The state commissions perform important investigative functions on behalf of the NHRC. The Act makes clear that the NHRC is the preeminent investigating agency; for example, state commissions are forbidden from investigating any matter that the NHRC is investigating. The NHRC also retains the authority to oversee investigations by state commissions. State commissions help to ensure that residents of India can file a complaint with minimal difficulty. Unfortunately, many states have been slow in establishing these commissions.

Structural Limitations. There are two glaring limitations on the NHRC's purview. First, like the IDC in South Africa, it has no enforcement powers. It conducts fact-finding missions and makes recommendations that can be accepted or rejected by the government. Once it sends its report and recommendations to the relevant governmental body, that authority has one month to determine what action, if any, will be taken. The NHRC is required to publish its report and recommendation, the response of the relevant authority, and the action taken or proposed. The Commission can use the media as well as non-governmental organizations in an attempt to place pressure on the police or other government entity to take action. Many people who are victimized by the police undoubtedly do no come forward because they think the effort is futile. Given the absence of effective prosecutorial mechanisms, it is understandable that some critics refer to the NHRC as toothless.

The NHRC's lack of enforcement authority would not be as problematic if other external oversight mechanisms were in place. However, complaints rarely lead to prosecution or conviction of police officers. For instance, the Andhra Pradesh Civil Liberties Committee documented 162 incidents of custodial deaths in Andhra Pradesh between 1986 and 1995. No officers were prosecuted for any of the deaths.[36]

Because of the dearth of prosecutions, the Supreme Court of India as well as the Law Commission of India have suggested that it may be appropriate in cases of custodial violence to shift the burden of proof to the police. Under this proposal, endorsed by the NHRC in its 1996 annual report, officers would be required to rebut the presumption that they are responsible.[37] Although the proposal has not been implemented, the mere fact that respected bodies have advocated it is evidence of the difficulty of prosecuting police abuse cases.

Second, the NHRC lacks the authority to conduct independent investigations of complaints against the military, such as the Border Security Force in Kashmir. In these cases, the NHRC operates under a circumscribed set of rules. It can only request a report from the government and, on that basis, make recommendations. This limitation has prompted many observers to conclude that the NHRC cannot curb human rights abuses by the military. One official from a human rights group said, "If the Commission does not have the right to question paramilitary forces and the army's role in Kashmir and Punjab, what is the use of such a commission?"[38]

Given the instability of the government, it is unrealistic to expect that these structural problems will be addressed. The government, struggling to maintain credibility, is unlikely to give the NHRC more power to uncover government abuse.

The Commission could, however, address one of its weaknesses—its inability to protect witnesses, many of whom are reluctant to cooperate for fear of retaliation by the police. There are no provisions in the PHRA establishing protections for witnesses and no mechanisms akin to a grand jury, where witnesses can be questioned under oath in secret. The Commission needs to develop its own procedures to protect witnesses.

Assessing the Efficacy of the National Human Rights Commission

Has the NHRC been a catalyst for positive reform or an ineffectual body designed only to stem international criticism? This question has been the subject of considerable debate since the passage of the PHRA in 1993. Unlike the recently formed IRC, the NHRC has a track record of more than four years to analyze. Despite its limitations, it has made some important contributions.

Documenting the Problem. It has always been difficult to ascertain the extent of police abuse in India. Although under-reporting of complaints against the police still exists, the

NHRC has taken aggressive steps to document the number and type of complaints. For example, from April 1994 through March 1995, the number of people reported to have died while in police or prison custody nearly tripled from the previous year. It is unclear whether the increase reflects more accurate reporting or an actual increase in the number of incidents. The NHRC subscribes to the former explanation, while nongovernmental organizations such as Human Rights Watch support the latter. There is probably some truth to both. More important, the Commission appears to be getting a more accurate picture of the problem. By gathering better statistics, the Commission is helping to debunk the myth that police misconduct is not a significant problem.

Providing a Strong Voice for Democratic Reforms. The Commission's broad statutory mandate has enabled it to have a strong influence on the government's decisions on human rights issues. For example, in 1985, the government passed the Terrorist and Disruptive Activities Act (TADA), which permitted the police to keep people in jail for up to a year without charging them. Authorities used the law to arrest more than 65,000 people. Only a small fraction of the detained were charged with a crime, and not even one in 100 of those charged were convicted.[39] Critics contended that the Indian government was using the law to throw thousands of innocent people, primarily Moslems, in jail.

The head of the NHRC called the law "draconian" and urged the government to remove it from the books. The government decided not to renew it in 1995. Although the NHRC was hardly the only voice calling for repeal, it certainly played a constructive role. The NHRC also urged the government to permit nongovernmental organizations to enter Kashmir to investigate allegations of human rights abuses by the security forces. Under pressure from the NHRC and other countries, the government eventually permitted Amnesty International and other watchdog organizations to visit Kashmir.[40]

The NHRC has also taken aggressive steps to highlight the enormous problem of child abuse and exploitation. The roughly 18 million children who live or work on the streets of India are vulnerable to oppressive labor and prostitution. Rather than combating the problem, the police frequently contribute to it by abusing the children.[41] The NHRC has helped to expose the horrific problem child labor, including child prostitution. For example, in 1996 it requested that two states, Goa and Tamil Nadu, issue reports on child prostitution. Remarkably, both states replied that there were no reported cases in their states. It is important for the NHRC to raise public awareness of the problem, which includes police abuse. In so doing, it can serve as a counterweight to those states that continue to deny the problem.

By forcefully criticizing the government, the NHRC has not only fostered important changes and raised public awareness, but also shown independence. Building public

trust in the NHRC is a Herculean task; people are understandably wary of a government-run watchdog agency. The NHRC has won a measure of the public respect by opposing the government on a number of vital issues.

Playing a Constructive Role in Individual Cases of Police Misconduct. The NHRC has helped secure a measure of justice for police abuse victims and their families. In one case, the NHRC recommended that the government in the southern state of Kerala pay compensation to the family of a man who committed suicide in a local jail after he had been severely beaten by the police, and the state agreed.[42] In another case, a fifteen-year-old boy named Raja Murugan apparently hanged himself after having been in police custody for approximately two days.[43] He had been arrested for the alleged theft of approximately 21 dollars of items. Police officials moved the body to a remote area, doused it with gasoline, and cremated it. The NHRC helped to ensure the prosecution of the officers. In addition, the NHRC recommended that Murugan's family receive compensation from the state, which agreed to pay. Unfortunately, the cases in which the Commission has played an important role barely amount to the proverbial tip of the iceberg.

Offering Concrete Suggestions for Systemic Change. The NHRC has also attempted to help craft solutions to the problems that give rise to police misconduct. In fact, it has advocated the complete overhaul of the police. In its 1994-95 annual report, the NHRC noted that:

> It is essential to revitalize the role of the civilian administration if the rule
> of law is to be effectively revived....[I]n almost all parts of the country,
> there is a clear and increasing need to reform the police itself, to retrain
> and reorganize it and to restore to it the skills and the integrity that
> country so desperately needs if the function of preserving law and order
> is to be improved.[44]

Toward that end, the Commission has strongly urged the government to heed the recommendations of the National Police Commission (NPC). The NPC was formed in 1979 to study police abuse and to make recommendations to the central government. It studied more than 76,000 complaints and reported that the failure to investigate allegations of police abuse adequately had created a climate of impunity. The NPC made a series of concrete recommendations for establishing workable systems of accountability, such as a mechanism within police departments for investigating alleged misconduct and a body composed of both police and civilians to oversee the internal

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review boards. The NPC also recommended mandatory judicial inquiry into the most serious allegations—those involving death, rape, or "grievous injury."

The NHRC has argued that the NPC proposals should stop gathering dust. It has also noted that police abuse will persist as long as police officers remain unskilled at investigating crime, and resort to "shortcuts" such as coercing confessions and planting evidence. Although neither the national government nor any state government has responded to the call for institutional reform, the NHRC is playing a critical role by advocating fundamental change.

Moving Beyond Consciousness Raising

Many have praised the NHRC for raising public consciousness about police abuse and the need for an accountable law enforcement structure. In its 1998 annual State Department report on human rights, the United States "acknowledge[d] the effective work" of the NHRC in raising awareness of human rights issues.[45]

But, as the State Department report points out, human rights abuses persist at alarming levels, within both police departments and security forces. In February 1997, a head constable and eight constables in the western state of Gujarat blinded seven prisoners suspected of gambling in an attempt to extract confessions. A short time later, a police constable in the West Bengal town of Burdwan was accused of trying to pull out the thumbnails of two female detainees accused of shoplifting.[46] In August 1997, the NHRC announced that it would investigate charges of mass murder by the police in Punjab during the height of the Sikh rebellion. Human rights groups have long accused the Punjab police of quelling the Sikh rebellion by randomly killing civilians.

When the NHRC was created, Madhukar Gupta, a senior government official, stated its goal was "to plug loopholes in the system and create conditions under which law enforcers will realize that they cannot misuse their powers."[47] Regrettably, the evidence suggests that the NHRC has not changed the climate of impunity.

This is not to suggest that the NHRC has been a failure. Rather, the forces that give rise to misconduct are so multifaceted and deep that simultaneous interventions at many different levels are needed. For instance, the caste system that continues to exist across much of India leads some law enforcement officials to believe that some people are subhuman. It is hardly surprising that the majority of complaints received by the NHRC come from poor people. The NHRC was the fourth body established by the Indian government to address vexing social problems. The other three bodies—the National Commission for Minorities, the National Commission for Scheduled Castes and Scheduled Tribes, and the National Commission for Women—have had mixed results at best in addressing the oppression and degradation of millions in India. It is unrealistic and unfair to expect the NHRC to reverse the cycle of police abuse overnight.

At the same time, it is senseless to set up a structure such as the NHRC and then deny it essential tools. Moral authority is not enough to persuade police officers to change their behavior. Without the power to enforce its recommendations, and with limited power to investigate alleged abuses by the security forces, the NHRC will invariably have limited ability to transform the police and security forces into effective and accountable structures worthy of public respect.

Comparisons and Conclusions

The Paradox of Accountability and the Need for Public Education

In the countries in which the federal grand jury, the Independent Complaints Directorate and the National Human Rights Commission function—and presumably in every country—there exists what I call "the paradox of accountability." That is, most law enforcement officials and most of the public welcome the implementation of systems of police accountability. At the same time, however, they tolerate varying degrees of misconduct, making it more difficult to implement reforms.

In the United States, misconduct persists in many cities in part because the police and the public abide it. In South Africa, although the interim constitution contained a provision calling for the establishment of a system to investigate police misconduct, the final constitution dropped the provision. In India, as noted earlier, a survey found that 84 percent of people agreed that criminal suspects deserve harsh treatment from the police.

The paradox is probably attributable to the dual mission of the police: To combat crime and to respect the rule of law and individual rights. These equally compelling needs are frequently framed in "either/or" terms. Many people subscribe to the erroneous belief that they must tolerate some degree of police misconduct in order to maintain law and order.

Proponents of reform must reveal the speciousness of this dichotomy. In building professional and accountable police forces, governments focus on altering attitudes and behavior of officers through training and systems of review. The ICD and the NHRC should also make an effort to explain to officers and the public that their countries can have—indeed, they must have—police forces that both control crime and respect individual rights.[48] For instance, the NHRC should attempt to persuade the Indian public to demand more from the police. If a large percentage of people continue to accept misconduct, the government will never have the will to implement the sweeping changes needed to transform the police.

The Paradox of Secrecy

It is also important to note what I call the "paradox of secrecy." Secrecy is a critical

feature of the American grand jury system. It provides a venue conducive to learning the truth and protects the accused by ensuring that allegations that may be unfounded are first aired privately. In India and South Africa, however, secrecy historically has been associated with government-sponsored oppression, rather than democratic rule. For instance, *secret* police and *secret* security forces have engaged in widespread violations of human rights. It would be difficult for the South African or Indian public to approve of a government-run structure of police accountability that relies on secrecy. South Africa and India, as well as other emerging democracies, need to develop mechanisms of police accountability that involve the public. While secrecy is an important characteristic of oversight in the United States, it should not be viewed as an indispensable feature.

Limits of External Mechanisms of Police Accountability
David Bayley states correctly that truly democratic police forces "are accountable to multiple audiences through multiple mechanisms."[49] Other experts stress the importance of reforming the internal workings of police departments. Elizabeth Watson, former chief of police in Houston and Austin, Texas, says that many incidents of police misconduct can be traced to management failures within the middle and upper layers of police departments. According to Watson, correcting these management failings should be one of the highest priorities of all forces. The federal grand jury system, the ICD, and the NHRC are important external mechanisms of accountability. However, in the absence of additional mechanisms of accountability, they are of limited utility.

The ICD, the NHRC, and the Department of Justice recognize the need for a ·multifaceted approach to fighting police abuse. For instance, the ICD in its annual report stated that "the control of [police] misconduct is primarily a management function of the SAPS."[50] Similarly, Sankar Sen, director general of investigation for the NHRC, has written that "external systems to enforce police accountability and penalize police aberrations are necessary in a democratic society but meaningful and lasting changes in the organization can only come from within."[51] The Department of Justice does not have nearly enough resources to investigate all allegations of police abuse in the United States. As a result, the Department trains law enforcement agencies to prevent abuse.

An effective system of accountability is a seamless web. Viable external mechanisms of police oversight are needed to help deter police abuse. Without them, officers will correctly perceive that they can act with impunity. However, unless the governments of South Africa and India develop effective law enforcement bodies with their own mechanisms of accountability, the ICD and the NHRC will be treating only the symptoms of police misconduct, while the underlying illness goes unchecked.

Conclusion

A benchmark of a democratic police force is openness to outside supervision. The federal grand jury system in the United States subjects police officers to the prospect of criminal prosecution. An investigation is certainly unpleasant for an officer. Yet, virtually all officers accept the system. They know that it is part of a process of checks and balances that embodies democratic policing, makes them better officers, and helps them gain the public's respect.

The Independent Complaints Directorate and the National Human Rights Commission are proof that South Africa and India recognize the need for outside supervision. Regrettably, political dynamics in both countries have led to unfortunate and even dangerous limitations on their powers. The ICD and the NHRC have become adept at operating with one hand tied behind their back. It remains to be seen what they could accomplish with both hands free.

* The views presented in this paper are those of the author and do not reflect the views of the U.S. Department of Justice.

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[1] Mike Brogden and Clifford Shearing, *Policing for a New South Africa*, 1993, 3.

[2] United States Code, Title 18, Section 242. This is the primary federal statute used to prosecute police misconduct. It was originally passed during the Reconstruction era following the Civil War, when police abuse was rampant in certain parts of the United States.

[3] 1997 Statistics Provided by Criminal Section of Civil Rights Division of U.S. Department of Justice Relating to Official Misconduct Allegations.

[4] Some critics of the Justice Department cite the high closure rate to argue that the federal government is not sufficiently vigilant in prosecuting police misconduct. It is important to understand that there are no requirements that must be met to file a complaint with the FBI. That is, the FBI will investigate, and the Civil Rights Division review, any and all complaints of police misconduct. The absence of any gatekeeper system reflects a conscious policy decision by the Justice Department that it should be as simple as possible for people who feel they have been victims of police misconduct to file a complaint.

[5] A quorum consists of at least 16 grand jurors. Cases cannot be presented unless a quorum is present.

[6] That the ancillary goals of restoring public confidence and deterring police misconduct were arguably realized in the Ironton prosecution is perhaps a fortuity, rather than an inevitable result of the investigation.

[7] Jeremey Sarkin, "The Trials and Tribulations of South Africa's Truth and Reconciliation Commission," *South Africa Journal on Human Rights,* 1996, 12: 617.

[8] Brogden and Shearing, 7.

[9] Gavin Cawthra, "Policing South Africa: The South African Police and the Transition from Apartheid," 1993, 3-4.

[10] The 34% unemployment rate certainly does not assist in stemming the crime problem.

[11] Curiously, the final Constitution adopted in 1996 does not contain this provision.

[12] South African Police Service Act, no. 68, in Chapter 10, Section 53(1)(a), 1995.

[13] South African Police Service Act, no. 68, in Chapter 10, Section 53(2)(b).

[14] South African Police Service Act, no. 68, in Chapter 10, Section 53(2)(a) and (c).

[15] Events in the months leading up to the opening of the ICD illustrate a number of the structural problems of the ICD. The SAPS administered the ICD's budget and the ICD was heavily dependent upon the SAPS during this formative stage. The ICD encountered difficulty obtaining SAPS approval to purchase basic office equipment, and encountered a series of additional difficulties dealing with SAPS. See *First Annual Report on the Activities of the Independent Complaints Directorate For the Financial Year Ending March 31, 1997,* 4-10. Most importantly, the SAPS reneged on a commitment to temporarily lend 70 investigators to the ICD. Due to budget constraints, the ICD began its operation with a chronic shortage of investigators. As the annual report notes, "the ICD commenced operations on its deadline date in spite of, rather than because of, the assistance of the SAPS."

[16] ICD, *First Annual Report on the Activities of the Independent Complaints Directorate For the Financial Year Ending March 31, 1997,* 2.

[17] ICD, 11.

[18] For a complete list of serious criminal offenses, see annual report, appendix C.

[19] This structure is roughly akin to the inspector general model in place in the United States. All federal agencies have an inspector general, whose responsibility is to investigate certain allegations of misconduct, and root out waste, fraud, and abuse. An inspector general has broad investigative powers, but no enforcement authority. Rather, the inspector general will issue reports containing detailed findings and recommendations. The lack of enforcement authority is not problematic, because there are other external and internal mechanisms of control, including grand jury systems or internal affairs offices, to ensure that misconduct and malfeasance is prosecuted vigorously. The problem with South Africa is that the internal or external mechanisms of control and oversight are inadequate.

[20] In all likelihood, the three-month figures regarding deaths do not reflect a sudden increase in such incidents. Rather, these figures reflect the fact that the SAPS grossly underreported the incidents of alleged abuse. The ICD, then, serves a vitally important function of providing a more accurate barometer of the magnitude of the police abuse problem.

[21] ICD, 18.

[22] Bronwen Manby, "The Independent Complaints Directorate: An Opportunity Wasted," *South African Journal on Human Rights,* 1996, 12: 422.

[23] Cawthra, "The Police in a New South Africa," 173.

[24] "Some 190 Suspects Reportedly Killed By Police in Three Months," British Broadcasting Corporation, July 5, 1997.

[25] South African Police Service Act, no. 68, in Chapter 10, Section 53(6)(b) and (d).

[26] ICD, 18.

[27] Manby, 424.

[28] James Vadackumchery, *Human Rights and the Police in India,* 1996, 84-86.

[29] Vadackumchery, 26.

[30] Vadackumchery, 120.

[31] "Police Abuse and Killings of Street Children in India," Human Rights Watch: 1996, 2.

[32] "Human Rights and the Police in India," 119.

[33] This belief is not unique to people in India.

[34] PHRA, chapter I, 2(d). "International covenants" refer to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights adopted by the United Nations in 1966.

[35] PHRA, chapter III, 12(a).

[36] Ganesan, 84.

[37] Ganesan, 84.

[38] "Indian Parliament To Take Up Rights Bill," *Reuter News Service,* April 8, 1993.

[39] "India Lets Anti-Terrorist Law Die Natural Death," *Reuter News Service,* May 17, 1995.

[40] *The Hindu,* March 21, 1997, 10.

[41] For a detailed discussion of the role of the police in the abuse of street children, see "Police Abuse and

Killings of Street Children in India," Human Rights Watch: 1996.

[42] *Agence France Presse,* October 6, 1996.

[43] Ganesan, 78-80.

[44] National Human Rights Commission, *Annual Report 1994-95,* 12, as quoted in Ganesan, 81.

[45] *Reuters News Service* (AAP Newsfeed), January 31, 1998.

[46] *Agence France Presse,* March 11, 1997.

[47] *Reuters News Service,* April 8, 1993.

[48] Given the structure of the United States grand jury system, it would be difficult and perhaps inappropriate for federal prosecutors to perform a public education function. However, the investigations themselves are frequently useful in demonstrating the federal government's commitment to preserving the rule of law.

[49] David Bayley, "The Contemporary Practices of Policing: A Comparative View," 1997, 6.

[50] ICD, 23.

[51] Sankar Sen, "Police Brutality: Genesis In Hurry To Get Results," *The Statesman,* July 24, 1997.

Police Reform in Russia: Obstacles and Opportunities

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In a democracy, citizens hire the police to protect them. Bound by contract, police officers enforce and obey the law. That, of course, is the ideal. In reality, every country struggles with police ineptitude and misconduct. Yet, with vigilance and proper mechanisms of oversight, established democracies manage to prevent most of the worst abuses. Indeed, countries cannot become established democracies unless they do.

Societies in transition from totalitarianism to democracy have it much worse. They must work with a police force that has always protected power at the expense of the people. The officials who have the authority to initiate reform are often the very ones most opposed to it. Moreover, drastic changes in political systems are fraught with social upheaval, including violence. Police officers are supposed to combat increasing crime with outdated structures and strategies while respecting individual rights for the first time.

In Russia, scattered attempts at reform have ended in failure. They seldom amounted to more than bringing in new commanders who would ceremoniously pledge to clean up the force. Supporters of reform have failed to take into consideration the inertia and open resistance of the law enforcement bodies themselves. As both crime and police misconduct rise steeply, the government must fundamentally change the police force and the laws that guide it.

In this paper, I will discuss policing reforms that the Russian government must implement. But first I will provide some background about the transition to democracy, the structure of the police, and the Chechen War.

Communism to Democracy

One of the first acts of the communists after they seized power in late 1917 was to disband the police corps. With the eighteenth-century French Jacobins as their guide, they recruited from their ranks a new force, the militsiya. Like the state security service, the militsiya sought not to serve the people but to keep them submissive. While the Communist party oligarchy, which included militsiya chiefs, had expansive freedom (even to break the law), most citizens lacked basic rights. Also lacking many necessities, they sustained a vast illegal market. "Beating the system" became a sort of a national

sport. Police corruption took on enormous proportions as many officers used their knowledge of illegal activity to blackmail citizens.

At the same time, the militsiya, who could use intimidation and force with impunity, managed to contain violent crime. The cities, devoid of nightlife, were well patrolled and relatively safe. Most crime occurred in the outer districts and usually went unreported in the press. The militsiya also successfully combated organized crime. As in Hitler's Germany, the Communist regime was itself a criminal operation that could not abide competition.

As the Soviet political apparatus was transformed in the late '80s and early '90s, the police remained largely unchanged. They were not prepared to assume their new role as defenders of democracy. Nor were they ready to cope with the crime unleashed by the transition. These outdated police structures are motivated primarily by survival instinct rather than concern for the public good. Russians are fully aware of the police's futility; the Ministry of Internal Affairs (MVD) estimates that 42 percent of crime victims do not approach the police for help. Police officers are also threatened by the crime wave; 173 officers were killed on duty in the first 10 months of 1997, according to the MVD. Furthermore, as I will discuss later, the police have become a major part of the crime problem.

Organizational Structure

As they did under the Communist regime, the police perform a range of functions, some of which have nothing to do with fighting crime. The police force, which falls under the rubric of the Ministry of the Interior, includes the police officers corps; the highway patrol (GAI); special services shock troops called OMON (special duty police detachment), similar to American SWAT teams; military units called "internal troops," designed to participate in emergency military operations, staff prison and labor camps, and escort prisoners in transit; the national fireguard service; the visa and internal passport department (OVIR); and various other guard agencies. Until November 1997, the Ministry of the Interior also had under its command all penal institutions. However, on the recommendation of the Council of Europe, they were placed under the authority of the Ministry of Justice. The regular police corps has about 700,000 officers, OMON has 50,000, and the internal troops have 400,000. (The figure for the police corps is very rough because of high turnover and poor recordkeeping, while those for OMON and the internal troops are more accurate because officers are conscripted for two years of service.)

The internal troops have a militaristic structure and appearance. In fact, most people used to think that the internal troops, with their military garb and bearing, were regular army units. In closely controlled Soviet society, the oligarchy managed to conceal their special operations against nationalistic rebel factions or mutinous prisoners. It was the

Chechen war that made the internal troops as well as the dark blue-clad OMON special force distinct and notorious entities.

War in Chechnya

In December 1991, the democratically elected president of Chechnya, Dzhokhar Dudayev, declared independence from Russia. In December 1994, Russian troops invaded, setting off the Chechen war. Yet the Russian authorities never called it a war. Because Chechens were Russian citizens and because of Moscow's contention that Chechnya was part of the Russia Federation, the Constitution prohibited an overt military operation. To uphold the illusion that the war was a police action, the Russian government deployed internal troops and the OMON special force to Chechnya. Regular army troops soon moved in, too.

Russia never declared a state of emergency, which may have legitimized, or at least legalized, such a massive use of police power. The presence of the internal troops and OMON was never brought into compliance with the Constitution. Many police officers felt betrayed. They knew that their participation was unpopular with most Russians and perhaps even illegal. The government ordered them to kill but refused to legalize their presence. This semilegal status angered the officers and divorced them from responsibility for their actions. The war cultivated in the police officers an utter disregard for both human life and the rule of law.

According to the estimates of Citizens' Watch, about 25 percent of OMON officers fought for at least three months in the Chechen War. Today, the OMON forces, who just a couple years ago were killing Chechen soldiers and civilians, perform crowd control, document checks, and drug busts. Some OMON officers even have regular beats. Given their experience in Chechnya, it is hardly a surprise that encounters involving OMON officers often escalate into bloody affairs. The Russian police force will have difficulty presenting itself as a credible organization as long as it employs paramilitary outfits— the same ones that participated in an unpopular war.

Police Misconduct

According to the MVD, 3,366 Russian police officers were disciplined for misconduct and 1,541 were arrested for serious crimes during the first nine months of 1997. The St. Petersburg police department, which serves 5 million people, registered 721 complaints of police brutality. The number of incidents that went unreported and unpunished is anyone's guess. Whatever the statistics, it is widely accepted that police brutality, harassment, and corruption are monumental problems.

Citizens' Watch and other human rights groups have documented numerous cases in which the police detained people without cause, often for many days; prevented detainees from notifying lawyers and relatives; placed suspects in cells with hardened criminals; and physically abused suspects. For example, on December 16, 1997, officers in the St. Petersburg police station allegedly beat to death a refugee from Azerbaijan. Representatives of the Azerbaijani community have asked Citizens' Watch to help them find a lawyer to take the case to court. We are attempting to make this case a legal precedent.

During Soviet times, the relatively small number of foreign visitors and residents received special protection from the police and KGB officers disguised as police. Although still more insulated from police violence than Russians, foreigners cannot escape it altogether. For example, in February 1997, the police carried out what they called a "routine drug bust" on a St. Petersburg nightclub patronized largely by foreigners. Several witnesses told Charles Diggs of the English-language *St. Petersburg Times* that OMON officers wearing black ski masks beat a number of people with rifle butts and took their money and possessions. In October 1997, OMON officers, during a "routine document check," attacked and robbed about 20 State Medical School students, most of whom were from India, Africa, and the Middle East.

The police have done little to curtail the power of organized crime, which has penetrated every sphere of Russian society. On the contrary, the police have helped organized crime leaders ascend to the highest echelons of power. The press is filled with accounts of cooperation between high-ranking police officials and professional gangsters. Reforming the police is essential to fighting organized criminals, who threaten to dominate the country.

Although vastly underreported, police misconduct is at least discussed and scrutinized in Russia's two major cities, Moscow and St. Petersburg. In other cities, towns, and villages, virtually all incidents of police misconduct escape the notice of outsiders. Human rights organizations are not very active outside Moscow and St. Petersburg, and the media generally do not investigate allegations of police abuse in small towns. One must assume that police misconduct is a grave problem throughout Russia given that most officers—especially those outside big cities—operate in a climate of impunity.

The Road to Reform

The Russia government has theoretically committed itself to police reform by signing international agreements that uphold human rights and the rule of law. In addition, leaders have championed those principles in numerous public pronouncements (see President Yeltsin's speech at the Strasbourg Summit, October 10, 1997).

Moreover, public indignation over the abuses and incompetence of the police force sometimes reaches a critical mass, which forces public officials to respond. For example, furor over a rash of well-publicized incidents in 1997 prompted the St. Petersburg police chief, Anatoly Ponidelko, to issue a rare public apology and to sack 170 high-ranking officers and about the same number of patrol men. Fifty-seven of the officers are in jail awaiting trial. However, as in Soviet times, the public learns little about the outcome of trials of police officers; the secrecy renders the effort virtually senseless and raises doubts about Ponidelko's motives. Indeed, his effort to clean up the police force seems to have waned considerably.

As the situation in St. Petersburg suggests, reforming the police will be exceedingly difficult. The government is burdened by its Byzantine-Tsarist-Soviet tradition and by pressure from police leaders firmly rooted in the totalitarian past. In 1997, Yeltsin signed a new anticrime and corruption law presented by the Interior Minister, General Anatoly Kulikov. The law simply pours more money into archaic structures. The police will surely be as ineffective as before, but in greater numbers. Kulikov, who became one of eight Vice Prime Ministers in 1997 and is bidding for even more power, poses a major barrier to reform. Russia's top policeman, he has resisted all efforts to reduce the force's or his own bloated responsibilities.

Yet, a short while ago, the prospect of military reform was equally daunting. Faced with a number of problems—financial woes, sagging morale, threats of mutiny by General Lev Rokhlin, the unpopularity of compulsory service—the government has begun to reform the military despite the opposition of the extremely powerful Defense Minister, Pavel Grachev. The plan for military reform, already approved by government, will affect the police force. It envisages a 50 percent reduction in internal forces by late 1998, a measure that Citizens' Watch supports.

Police reform should be next on the agenda. Russian officials need to recognize the futility of investing more money and energy in the existing system; there are no quick fixes. Political and police leaders need to fundamentally change the force by improving training, changing the laws that foster misconduct, and making officers more accountable to the citizens they serve.

Education and Training

Some well-trained and well-educated police officers turn out to be inept and corrupt. However, a variety of studies, and common sense, suggest that they are less likely to make mistakes and to engage in misconduct. Unfortunately, training for Russian officers is dangerously weak. A beat patrol officer is turned loose on the street with a weapon and the authority to arrest people after an average training period of six months. The investigative forces of the Interior Ministry recruit undertrained patrol officers or people with no training.

Officers are ill-equipped to cope with Russia's soaring crime rate. Lacking basic skills, they often resort to abusive treatment and fail to perform sufficient investigation. Courts are forced to send many cases back to the same undertrained officers for further investigation. Because pretrial release is extremely rare in Russia, many suspects languish in unsanitary and dangerous jails for months and even years. It is safe to assume that most officers cannot meet the basic standard of knowledge articulated by the 1931 Knapp Commission, which stated that every officer "...must be able to point to a specific statute or a specific rule of the common law that authorizes him to arrest and detain a citizen under the circumstances of a given case."

The government needs to revamp the system of officer training with new primary police schools, academies, teachers, textbooks, and curricula. Every officer should be required to attend a certified policing institute that teaches the basics of police work. The curricula should emphasize individual rights, a new concept to most Russian officers. The schools could borrow instructors and curricula from American and European academies, and could use such Council of Europe projects as Police and Human Rights, 1997-2000.

At the same time, government and human rights groups should make an effort to educate citizens, who are similarly ignorant about constitutional rights. For example, Article 46 of the Constitution states that every citizen has the right to petition the court to review the actions of police officers. However, in St. Petersburg, only three people filed appeals alleging police misconduct in 1996. Rights matter little if people do not how to exercise them. To that end, Citizens' Watch and other groups have proposed a number of projects, such as a question-and-answer booklet and television series about civil liberties, and comprehensive human rights curricula for colleges.

Legislation

The laws that dictate police behavior have not been brought into accordance with the Constitution or international standards to which the government purportedly adheres. Laws that engender police misconduct stay on the books mainly because the government does not have the will to change them. Another problem is that new laws or reforms of old ones are drafted by people in the departments who will be most affected by the changes. For example, people from the internal troops write the laws that concern them without the input of independent and unbiased voices. In this section, I will discuss a few of the most egregious laws and deficiencies in the legal system. It is important to point out, however, that legal reform demands a comprehensive approach. The government's alteration of individual laws has only produced more contradiction and confusion. It should review all the laws that govern police behavior at the same time.

The Law on the Militsiya of 1991

The basic law on the police contains many defects. For example, Paragraph 18, Article 11 grants the militsiya unimpeded access to private property. Officers may enter homes and businesses to pursue suspects or "if facts warrant the assumption that a crime has been committed or is being committed." To protect citizens' right to security of residence, the phrase should be changed to "in the presence of information that a serious crime has been committed or is being committed." Paragraph 28, Article 11 gives officers the right to use vehicles belonging to citizens and private businesses to pursue suspects. The law does not provide for compensation for property or for physical harm. Perhaps most important, Chapter 3, Article 37 provides for public control over the militsiya but does nothing to make it a reality. This chapter should be completely rewritten.

Arrests

A majority of complaints about police misconduct concern arbitrary arrests. According to the Code of Criminal Procedure, arrest commences from the moment the investigative organ writes up a charge sheet. But what about the time from when the officer apprehends the person to when the officer presents the person to the investigator? This period, known as "no-man's land," is not regulated by criminal procedure or administrative law. Officers are guided only by the manual on policing and patrolling, which leaves too much to their own judgment and does not have the force of law. The government must pass laws that compel officers to follow strict and clear procedures. For example, the United States Supreme Court's decisions in *Escambedo* (1964) and *Miranda* (1966) established that police officers must identify themselves; present documents, badge, and a card on which basic rights are listed; explain the reasons for arrest; inform arrested people of the right to remain silent and to representation; and tell them that everything they say may be used against them in court.

Moreover, Article 5 of the *European Convention on the Protection of Human Rights and Basic Freedoms* states the police must present every arrested person to a judge, who determines the legality of the arrest. But the Russian Code on Criminal Procedure requires only that the police inform the prosecutor about the arrest. Although Article 22 of the Constitution provides for judicial oversight of arrests, Article 6, part II states that until the laws of criminal procedure are brought into sync with the Constitution, old (Soviet) legal norms will dictate the process of arrest and detainment.

Detainment

The grounds for detaining people charged with crimes must also be brought into conformity with international standards, which permit the state to take into custody people who may flee or hinder the establishment of truth in the case. Article 96 of the

Criminal Procedure Code allows the Russian government to use custody as a preventive measure for people charged with crimes punishable by at least a year of incarceration (or even less, in some exceptional cases). However, the seriousness of a crime should not be used to justify detainment because guilt has yet not been established.

Structure

The police are responsible for both preliminary investigation and initiating criminal proceedings. That is, the same officer discovers the initial facts and determines whether to pursue the case based on those facts. Police officers often decide to not initiate criminal proceedings when the case seems difficult to prove. Their superiors condone and perhaps even encourage this practice because it enhances the department's record by increasing the percentage of successful investigations. The government could stop this corruption by creating a governmental organ, independent of both the militsiya and prosecutors, that has the authority to initiate criminal proceedings.

Investigations

Articles 414 to 418 of the Criminal Procedure Code allow for protocol investigations, which can lead to widespread police misconduct. Under this peculiar procedure, used for nonserious offenses, police officers do not initiate a formal criminal probe. They do not perform any independent investigation. Nor do they interrogate the subject or witnesses. They simply obtain explanations from the defendant and the arresting officer and perhaps some information from the police department. If the officer in charge of the investigative department signs off on the protocol, it is forwarded to a local prosecutor. If the prosecutor has no objections, he or she presents it to a judge, who has 14 days to decide whether to press charges.

Protocol investigations flagrantly violate the Constitution. First, subjects are not given an attorney. Second, the Criminal Procedure Code refers to subjects as offenders, depriving them of the presumption of innocence. Third, in a protocol investigation, evidence obtained illegally is admissible. Despite numerous objections of the courts, the Ministry of Internal Affairs continues to use protocol investigations.

Citizens Groups

Over the past few years, Citizens' Watch and other human rights nongovernmental organizations have become very active in protesting police misconduct and bringing lawsuits to redress abuses, despite the resistance of victims. Due in part to the efforts of citizens groups, the legislative assembly in St. Petersburg proposed Russia's first ombudservice, which would focus on police misconduct cases. In December, the governor of St. Petersburg rightly vetoed the bill because legislators refused to the grant

the ombudservice sufficient autonomy. The assembly is reworking the bill and will soon resubmit it to the governor.

In addition, Citizens' Watch is organizing a campaign in support of trade unions, which would work with human rights groups to democratize the force. The Russian section of the International Police Association has signed on with the project. The German trade councils, whose members are elected by police officers of all ranks, may serve as a model. The bodies make recommendations that are considered by the command in promoting officers, settling conflicts, and other decisions.

In the spring of 1998, Citizens' Watch will hold a conference on relations between the police and the public in Russia and Belarus, where the police are a tool of repression in the hands of the country's autocratic president, Alexander Lukashenko. We hope the conference will help build a model for police reform applicable to Russia and all the other post-Soviet states as they attempt to, once and for all, move beyond totalitarianism.

Conclusion

Burdened by a tradition of controlling everything that crawls, the national government is suspicious of measures that would loosen its control over agencies, especially the police. Unwilling to support even modest reforms, such as the establishment of trade unions, the federal Parliament, dominated by extremists, will certainly not do what is necessary to transform the police: develop a new system of training, overhaul the laws that guide police behavior, and put in place mechanisms of state and social oversight.

But the political pendulum swings back and forth. When political leaders more amenable to reform assume control, we must be ready with drafts of laws and plans for change. Meanwhile, we must work at the local level to improve the police and to turn it into an institution worthy of a democracy.

Police Impunity in Romania:
Military Jurisdiction Over Misconduct Cases

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In a dictatorship, the police force is the most efficient and direct instrument of repression. A government making the transition from dictatorship to democracy must transform the police into an organization that respects human rights. This process, which requires both institutional and attitudinal changes, is long and arduous.

Romania's new democracy is attempting to build an effective and accountable police force. To that end, it has ratified international treaties that guarantee citizens the right to not be subjected to torture and cruel, inhuman, or degrading treatment.[1] Moreover, the Romanian Penal Code states that any act of police misconduct, from verbal insult to physical harm, is a crime.[2] Yet misconduct persists at alarming levels. In a 1997 report, Amnesty International says that it has repeatedly "called on the authorities to initiate investigations into reports of ill-treatment and police shootings in disputed circumstances."[3]

The transition itself explains some misconduct. The police—forced to contend with increasing violence and new types of crime, such as drug-related offenses—are more likely to use illegal force, and Romanians are more inclined to tolerate it. However, much police misconduct is attributable not to irrepressible social developments but to preventable deficiencies in the legal system. The government has failed to change the laws that foster misconduct or to demilitarize the police. Nor has it developed sufficient mechanisms of accountability. Perhaps most troublesome, military rather than civilian courts have jurisdiction over police misconduct cases.

In this paper, I discuss the institutional causes of police misconduct in Romania and the mechanisms of accountability, with an emphasis on the role of the courts. Where relevant, I make comparisons between Romania's system of policing and those of Hungary and Poland.

Institutional Causes of Misconduct

Legal Incentives

Various elements of Romanian law may lead police to use illegal or abusive tactics in investigating crimes. First, officers do not have to testify in criminal trials. Theoretically required to uncover the truth, officers are supposed to collect incriminating as well as

exonerating evidence. Their reports are considered true by the court unless proven false in a separate and subsequent trial. However, trials to determine the validity of police reports are rare. Police officers can ignore or fabricate evidence without fear of cross-examination or punishment.

Similarly, allegations of police misconduct are not given a hearing in trials. For example, if a defendant, claiming innocence, says that the police used force to extract a confession, the judge would record the statement and place it in a file for deliberation after the trial. The police officer is not required to face questions about the alleged misconduct. Very rarely do judges ask the military prosecutor's office, the only available and competent authority, to investigate allegations of police misconduct, and even that action would not suspend the trial.

Furthermore, evidence obtained through force or through other illegal means is admissible. Proof that the police violated laws to obtain evidence is not grounds for reversal. Romania lacks a law resembling the United States' exclusionary rule, widely regarded as an effective weapon against misconduct.

Many incidents of police misconduct occur while officers interrogate suspects. Officers often question people for hours without charging them.[4] During the interrogation period, the rules governing pretrial detention do not apply because suspects, although deprived of liberty, are not technically detained. In addition, suspects are treated, if necessary, by government doctors and do not have access to medical files documenting injuries sustained while in custody.

Finally, the Romanian criminal justice system does not permit plea bargaining—the process by which defendants plead guilty in exchange for a lesser charge. The system places pressure on officers to secure—or coerce—confessions. Although the law specifies that a confession alone cannot warrant an indictment or conviction, usually it is integral to a case.

Militarization of the Police

A legacy of the communist order is that Romania and other countries in the region have, in varying degrees, militarized police forces. In Hungary, police officers have military status, meaning that they are subject to special provisions of the criminal code.[5] In Poland, although military rules do not apply to police officers, they function within a strict, militaristic hierarchy based *inter alia* (on grades).[6] In Romania, the Ministry of the Interior, which controls the police force, is a military entity (although the Minister of the Interior has been a civilian since 1990).

A militarized police force is a centralized police force. In Romania, practical control of the force is given to the Inspectorate General, whose chief has always been a military official.[7] The force is broken down geographically. The chief of each region reports to the Inspectorate General. The Hungarian police, widely regarded as overcentralized, functions in basically the same manner.[8] Poland's system is similar as well. The

Minister of Interior Affairs and Administration appoints a chief commander, who is responsible for all police.

A police force in a democracy should vest officers with a considerable amount of autonomy. However, the Romanian system of policing, heavily influenced by military doctrine, does not allow discretion. Not only does the failure to execute an order violate the force's disciplinary code, it is a crime under the Romanian penal code. However, it is not illegal to disobey an unlawful order. On the contrary, it might be a crime to obey one. Still, unconditional obedience of even unlawful orders is ingrained in Romanian police culture. The law also gives prosecutors the power to instruct police officers.[9] However, police officers will almost always choose to follow the orders of their commanders should they conflict with those of prosecutors because there are no means to enforce prosecutors' authority. Even without the legal incentive, commanders' instructions would probably take precedence.

The Hungarian police are required to obey orders even if they lead to unlawful acts. They may disobey an order only to avoid a criminal offense. (In Hungary, not all unlawful acts are criminal.)[10] Officers may challenge the lawfulness of orders to superiors.[11] However, the law provides for disciplinary action for officers who issue unsubstantiated challenges.[12] The prospect of disciplinary hearings undoubtedly deters officers from questioning orders.

In Poland, police officers must refuse to execute an order that would result in a criminal offense, even it comes from a judge or prosecutor. However, if the refusal to commit an order by a judge or prosecutor is unjustified, police officers are subject to disciplinary proceedings.[13]

Like many military structures, the Romanian police force has a special unit supposedly responsible for internal security. However, it is not clear what this unit, UM0215, really does. Under the communist regime, the oligarchy used UM0215 to check political opponents. In 1990, the government issued an order to change the structure and function of UM0215, but the order was never published and is not accessible to the public. Even if it not used for invidious purposes, a secret police unit clearly does not belong in a democracy.

Largely because of their military status, Romanian police forces enjoy a number of privileges. They have free medical care and higher salaries than most civil servants. While the salaries of judges and prosecutors are public information, those of police officers have been raised several times by confidential government ordinances that have not been published in the *Official Gazette*.[14] Moreover, draconian provisions in the Penal Code outlaw even truthful criticism of police officers. Article 239, under the title "outrage," punishes with imprisonment of up to seven years any insult of military officials, including police officers. By contrast, people convicted of insulting civilians may be fined or imprisoned for a maximum of two years. Similarly, Article 238 states that people who commit "an offense against authority" (publicly insult prominent

political figures) may be imprisoned for up to five years. Some journalists have been punished under the second provision for criticizing high-ranking police officers.

Certainly, officers should be well-compensated, and government should ensure that policing is an esteemed profession. However, excessively preferential treatment instills in officers the pernicious belief that they are superior to the people they serve. It also may create tensions between officers and civilians.[15]

The issue of police demilitarization has been debated publicly since 1990. Eager to maintain advantages that flow from their status, most police officers oppose demilitarization. Although the government has not explicitly rejected demilitarization, it has repeatedly postponed voting on measures that would change the laws or structure of the force. Moreover, in November 1997, Gavril Dejeu, Minister of the Interior, proposed to centralize the police even more. Dejeu argued that the various departments—such as public order, customs, railway, organized crime, and transportation—should be united under a single command. Voices calling for demilitarization and decentralization are being ignored. Hungarian politicians also are calling for increased centralization, claiming that it will help the police stem rising crime rates.[16] Polish politicians have discussed decentralization as well, but have placed police reform on the backburner while they restructure the Secret Service.[17]

Accountability

Democracies need a variety of mechanisms to hold police accountable for their actions. In Romania, the social (nongovernmental) controls on police behavior are conspicuously weak. The country does not have any formal vehicles, such as review boards, for civilians to exert influence over the police. The media generally fail to report on policing or violations of individual rights. Instead, they breed tolerance for police misconduct by giving excessive and superficial coverage to violent crime. Some nongovernmental organizations document police violations but their impact on police behavior is limited. With impotent social controls, it is especially important for the state to put in place effective mechanisms to punish and deter improper police behavior. Unfortunately, the state's structures are also woefully insufficient. In this section, I will discuss the role of the courts and Parliament in holding the police accountable.

The Courts

Because of their military status, police officers who are charged with criminal wrongdoing are tried in military courts. The jurisdiction of the military justice system over the police is absolute: Civilian attorneys may not investigate or prosecute police officers, and civilian judges may not preside over the trials of police officers. Military judges and prosecutors must fulfill the same requirements as their civilian counterparts, and they are appointed in the same manner.[18] However, they also must be active officers

in the military (in a trial, the prosecutor and judge must have at least as high a rank as the defendant).[19] Although their responsibilities are the same as those of their civilian colleagues, military prosecutors and judges are subject to military rules of discipline.[20] In addition, their salaries, paid by the Ministry of Defense, are higher.[21]

The framework of the military system of justice is provided by Law no. 54/1993 on the Organization of Military Courts and Prosecutors Offices. Although the Romanian Constitution devotes a chapter to the judiciary, it makes no reference to military justice. However, other guidelines—the Criminal Procedure Code, the Law on the Judiciary, and the Law on the Supreme Court (a military section functions within the Supreme Court)—cover the military justice system. Military and civilian trials operate under the same rules of criminal procedure.

The military system of justice presents five glaring problems. First, it undermines the principle of equality before the law. Police officers are investigated and tried by a legal structure different from the one that administers justice to civilians.

Second, it ensures that trials involving police officers are, for the most part, confidential. Because of guidelines that restrict public access to military activities, prosecutors and judges are shielded from public scrutiny.

Third, the military system of justice precludes the independence of judges, which is essential to a democracy. Unlike civilian judges, who are independent, military judges are part of the army, a hierarchical structure. Moreover, the army itself is under the authority of the legislature and the president. The subordination of the judiciary to both the army command and external forces invites corruption. For example, the Ministry of Defense has sole responsibility for promoting and demoting officers; thus, the careers of military judges (and prosecutors) are in the hands of the Minister of Defense. Members of the Military Section of the Supreme Court must be at least colonels, and the president of the Section must be a general. To reach the Supreme Court, judges presumably must make decisions that please the Minister of Defense. Once on the Court, they need to continue to satisfy the Minister in order to stay there. Because the Constitution articulates the need for independent courts, the military system of justice appears to be illegal. Nonetheless, the military courts continue to operate with their constitutionality unchallenged.[22] In 1997, the Parliamentary Assembly of the Council of Europe urged Romania "to ensure that the independence of the judiciary is upheld."

Fourth, the system threatens the impartiality of judges and prosecutors. Although police officers are under the Ministry of the Interior and prosecutors and judges are under the Ministry of Defense, they are all part of the same military family. Prosecutors and judges are often tempted to ensure that officers are acquitted either because they know them personally or because they want to protect the reputation of the military. Furthermore, many high-positioned police officers have close ties to judges and prosecutors. The outcome of a police misconduct trial could be determined by a phone call.

Fifth, the system inhibits fair and thorough investigations into allegations of police misconduct. Typically, a military prosecutor convenes the officer accused of misconduct and the alleged victim. After listening to each, the prosecutor writes statements that the officer and complainant sign. Usually, the prosecutor performs no further investigation. Based on the officer's denial, the prosecutor closes the case, even if the victim has medical records documenting injury. Unless witnesses come forward, victims have little chance of getting a hearing in court. Prosecutors may also frustrate victims by dragging out their inquiry. They are not required to complete investigations within a specific amount of time. Most cases last more than a year. The delay leads some victims to give up and allows officers plenty of time to intimidate them.

Prosecutors' decisions are final; alleged victims may not petition the courts to review them. They may only lodge a complaint with the Military Department in the General Prosecutor's Office, which rarely revisits decisions. For all intents and purposes, when a prosecutor decides to not indict a police officer, the case is over.

Police officers themselves also play a role in investigations. The Criminal Procedure Code provides for "special investigative bodies," including one comprised of officers designated by their commanders to investigate wrongdoing by other officers *in the same unit.*[23] Prior to November 1996, officers were usually the primary investigators. They sent their reports to the prosecutors, who based decisions largely on the findings of the officers.[24] The procedural rule was changed to give prosecutors complete control over investigations, but the police have not abandoned the practice of looking into allegations. Even though their findings, almost always favorable to their colleagues, have no legal standing, they are still used by prosecutors in a large majority of cases. People are not required to answer the questions of police officers investigating allegations of misconduct. But either out of fear or ignorance, people usually comply.

In Hungary, police officers often investigate allegations of misconduct by their colleagues. Most acts of misconduct are considered misdemeanors and are investigated by the police under the rules of disciplinary proceedings. If the police have allegedly violated military statutes, military prosecutors are called in to investigate. Only three offenses fall under the jurisdiction of civilian prosecutors, who belong to special units within the military prosecutors' office: ill treatment during official procedure, forced interrogation, and unlawful detention. The Hungarian Helsinki Committee reported that 80 percent of complaints do not result in indictments.[25]

In Poland, civilian prosecutors and courts deal with all allegations of police misconduct. Oversight is exercised through disciplinary proceedings by the local Inspectorate and the Inspectorate from the Ministry of Internal Affairs and Administration.[26]

Civil Remedies. Police officers might be less inclined to engage in abusive behavior if victims could readily sue for civil damages. However, victims of police misconduct may

not sue police officers or the police force. The Romanian Civil Code dictates the rules of civil liability. Article 998 provides for the right to sue individuals for their actions. However, victims may not sue individual officers under this provision because the Criminal Procedure Code mandates that the criminal courts handle all cases of police misconduct. Only after a police officer is convicted can the court decide to award a plaintiff civil damages. Because most cases end without an indictment, much less a conviction, most victims of misconduct have no chance of receiving civil damages.

Article 1000, paragraph 3, of the Civil Code provides for the right to sue employers for the actions of employees. In theory, people could use this provision to sue the Ministry of Interior for damages after police officers are not indicted or acquitted because of a lack of evidence. (More proof—beyond a reasonable doubt—is needed in criminal trials than in civil trials—a preponderance of evidence.) However, the Criminal Procedure Code does not explicitly allow prosecutors and judges to terminate an investigation or issue an acquittal because of a lack of evidence. Because they are supposed to determine the truth, they may only base such decisions on substantial grounds (i.e., the alleged facts do not exist; they exist but they do not constitute a crime; the crime was perpetrated by someone other than the accused). Once again, alleged victims are left without a remedy.

Nevertheless, applying both national and international law, which guarantee effective civil remedies, victims could sue for civil damages before the criminal case is settled. However, according to the civilian procedure rules of taxation, people would have to pay 8 to 10 percent of the requested amount—a prohibitive fee for most victims, who are usually poor.

In Hungary, the law allows for civil action against police officers. However, the plaintiff needs to prove that the officer's actions were unlawful—a difficult standard to meet because the Hungarian police has a great deal of discretion, and pertinent information, such as the superior officer's orders, is not easily accessible.[27]

In Poland, civilians may sue the state for the unlawful actions of police officers. Police officers themselves may be liable for damages caused while exceeding their official powers. However, many police officers defend themselves from civil suits by initiating criminal proceedings against the alleged victims.[28]

Legislative and Executive Oversight

The police are accountable to the Minister of the Interior, who is politically responsible for his own acts and for the acts of government. However, the Minister and other members of government may not be held criminally accountable for their actions. The Constitution states that criminal liability of government officials shall be regulated by the "Law on Ministerial Liability."[29] Because members of government have not adopted the Law on Ministerial Liability, they enjoy criminal impunity for actions taken in their official capacity.

The Minister of the Interior is accountable to the Parliament. Two Parliamentary committees, one in each chamber, oversee the agencies that deal with public order and defense. The oversight, exercised on a reporting basis, is inefficient and superficial. Committees seldom, if ever, exercise their responsibility to inquire about specific cases of police misconduct or the allocation of funds. Parliament only discusses the budget of the Ministry of the Interior while approving the budget of the entire government and does not make specific mention of funding for the police. The government recently established the Office of the Ombudsperson, which may become involved in cases of police misconduct.

In Hungary, Parliamentary commissioners, or ombudsmen, make recommendations and use the media to advocate policing reform. However, they may not enforce their recommendations and face serious obstacles in attaining information from the police. Hungarian officials are considering whether to establish a police ombudsman.[30] Attempts at governmental oversight have not been very successful in Hungary. The tone was set by the Minister of the Interior, who stated in Parliamentary debate that freedom is guaranteed only to those who obey the law. External control is generally perceived as helpful to criminals and as an intrusion into the affairs of the police.[31]

In Poland, three Parliamentary commissioners—from the Commission of Administration and Internal Affairs, the Commission of Administration and Human Rights, and the Commission of Human Rights and the Rule of Law—deal with police activity. However, it is difficult to determine their efficacy in curbing misconduct.

Because of the centralized structure of the police, local governments in Romania do not have the authority to control police activities. The law provides only for cooperation between the police and local administrative authorities. Periodically, or at the request of the government, the police report on the status of crime and their crime-fighting strategies.

Neither the Hungarian nor Polish local administrative bodies have oversight authority. In Hungary, police are not required to enforce the regulations passed by local government because they are not regarded as legal norms.[32] Local authorities, however, give their opinion on the appointment of police chiefs.[33] In Poland, local councils and the police work closely together. The police submit annual reports on public order and safety standards. A recently passed regulation provides for civilian guards, who are supervised by the police.[34]

Conclusions and Recommendations

Romania has yet to establish effective mechanisms of police accountability. At the root of police impunity is the military courts' jurisdiction over police misconduct cases. The system of military justice precludes the independence of the courts, threatens the

impartiality of prosecutors and judges, shields prosecutors and judges from scrutiny, provides for shoddy and corrupt investigations, and undermines the principle of equality before the law.

Making the police accountable to the civilian system of justice would go a long way toward curbing misconduct. Yet it is hardly enough. Not only should the government remove the police from the jurisdiction of military court, it should demilitarize the police force by decentralizing it and taking away police officers' military status. It should change the laws of criminal procedure that engender misconduct during investigations. It should assume control of the police budget to give teeth to Parliamentary oversight. Finally, it should establish civilian bodies that have, at least, the power to make recommendations. Such entities would help to create a critical link between the police and the communities they serve.

There is one important reason why these measures have not been enacted: opposition in high places. Politicians and police leaders resist them either because they fear change or because they do not want to surrender the power that the existing system affords them. Whatever the reason, opposition to police reform stands in the way of the transition to democracy.

[1] International Covenant on Civil and Political Rights; European Convention on Human Rights; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Universal Declaration of Human Rights; and all the Documents adopted by the OSCE in the human rights area.

[2] Articles 250, 266, 267, 267/1, and 268 of the Penal Code punish the crimes of "abusive behavior," "abusive investigation and unlawful detention," "bad treatments," "torture," and "unjust repression." Death cases are punishable under Articles 174-176 and 178-179 of the Penal Code, which criminalize different types of murder.

[3] *Amnesty International, Concerns in Europe* (chapter on Romania), January-June 1997, OSCE Human Dimension, Special Edition, September 1997.

[4] Police may issue an arrest warrant for 24 hours if a criminal charge is brought. Before this, the suspect and witnesses are questioned in the police station.

[5] The Polish police activity is regulated by Law of April 6, 1990, published in *Law Journal* no. 30.

[6] István Szikinger, *Police in Transition—Hungary*, Project of the Hungarian Helsinki Committee, 1997, 3.

[7] Article 209, paragraph 1 of the Criminal Procedure Code.

[8] Act XXXIV/1994 on Police, Section 12(1).

[9] Section 12(2), 12(3).

[10] Section 12(4).

[11] Chapter 7, Articles 58-59 of the 1990 Law on the Polish Police.

[12] Ordinance no. 0282/1993, amended in 1994 by Ordinance no. 0697, both issued by the Prime Minister; Instruction no. 441/1995 issued by the Minister of Interior. As mentioned in the text, this data is not publicly available. Ordinances have been identified through personal contacts.

[13] Szikinger, 13.

[14] Szikinger, 3, 37.

[15] Teodor Bulenda, Andrzej Kremplewski, Andrzej Rzeplinski, "Between Militia and Reform. The Police in Poland 1989-1997," *Police in Transition*, Project of the Helsinki Foundation in Poland, 3-4.

[16] Bulenda et al., 3-4.

[17] Article 24 of the Law no. 154/1993 on the Organization of Military Courts and Prosecutors Offices.

[18] Article 31.

[19] Article 30, paragraph 2.

[20] Once in force, a law can be found unconstitutional by the Constitutional Court only, in specific cases, at the request of one of the parties. If unconstitutionality of a statute or of certain provisions is claimed, the ordinary courts suspend the judicial proceedings and send the case to the Constitutional Court to rule on constitutionality. Proceedings are resumed consequent to the judgment of the Constitutional Court, which is mandatory in the case (Articles 144 and 145 of the Romanian Constitution).

[21] Articles 201 and 208 of the Criminal Procedure Code.

[22] By Law no. 141/1996 on amending the Criminal Procedure Code.

[23] For the entire paragraph on jurisdiction of police misconduct, see Szikinger, 24-26.

[24] Bulenda et al., 16-17.

[25] Bulenda et al., 24-25

[26] Bulenda et al., 18.

[27] Bulenda et al., 18.

[28] Phare Report 1997:128, cited by Szikinger, 23.

[29] Szikinger, 20.

[30] Law no. 26/1994 on Police, Article 46.

[31] Law no. 26/1994 on Police, Article 47.

[32] Szikinger, 22.

[33] Szikinger.

[34] Bulenda et al., 15-16.

Introduction

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A democracy depends heavily on its police. Citizens expect police officers to enforce criminal law, provide support in emergencies, and foster a sense of security. As Robert Reiner points out, policing is essential to regulating and protecting the social order.[1] Thus, a government vests the police with tremendous authority. That authority is vulnerable to abuse by law enforcement officials, from police commissioners to beat patrol officers. The likelihood of misconduct grows when a society does not have a consensus on basic freedoms, effective mechanisms of accountability, or social cohesion. In other words, new and diverse democracies face the stiffest challenge.

The following papers discuss the cultural values, social conditions, and institutional characteristics that shape law enforcement in racially diverse societies. They focus on marginal communities in three democracies, two new and one mature, whose social dilemmas, legal systems, and law enforcement institutions vary greatly: the favelados in Rio de Janerio, Brazil; the Roma in Hungary; and racial and ethnic minorities, particularly Hispanics, in San Diego, the United States.

I will address two questions: First, what social and institutional factors influence relations between the police and racial minorities? Second, what can new democracies do to improve policing for minorities and all citizens?

The Roots of Misconduct

It is unrealistic to expect the police to be entirely respectful of minorities in societies where racial prejudice and economic inequality are pervasive. Some police officers mistrust and discriminate against people whose appearance and customs deviate from the norm. Minority communities are disproportionately poor, and poor areas are often plagued by crime and disorder. Under pressure to quell disorder, the police employ oppressive tactics, fueling resentment. Especially when misconduct is tolerated within the institution, the police can become a major source of violence, which leads many people, innocent and guilty alike, to respond with violence of their own. Thus begins a cycle that leads to more crime by both parties.

The amount of police abuse seems to correspond to the level of social division. Jorge da Silva reports that Brazil is one of the most inequitable societies in the western world

and that the division in Rio is especially pronounced. One-third of the population resides in slums and squatter settlements, known as favelas. The people who live in the favelas, the favelados, lack proper sanitation, transportation, and educational facilities, and many children are involved in the local drug trade. The upper and middle classes condone, and even demand, police violence against the favelados for two primary reasons. First, they fear the crime in the favelas, which is rampant and visible. Second, Brazil, a military state until the mid-'80s, lacks a culture that respects human rights.

István Szikinger focuses on the Roma, who comprise between 5 and 6 percent of the Hungarian population. The transition to democracy has exacerbated the poverty and alienation of the Roma, victims of prejudice and discrimination throughout history. They suffer from high unemployment rates and lack the skills needed to compete for jobs in the new marketplace. The government has failed to reform the laws that lead to discrimination against the Roma and has even introduced new ones. Incidents of police abuse against the Roma are frequent. Police abuse in Hungary seems to be less severe than in Rio, probably because the former has less crime and less acute social division.

The situation in San Diego, an affluent city in a country with a democratic tradition, is quite different. Jerry Sanders explains how his department recognized the difficulty of policing a racially diverse city using traditional law enforcement techniques. San Diego has moved to a community-based law enforcement strategy, which I will discuss in the next section.

Several other factors contribute to the use of violent tactics by the police in socially divided societies. I would like to touch on two that are discussed at some length by the authors—the militarization of the police and the impotent mechanisms of police accountability.

Military philosophy, a legacy of totalitarianism, permeates the police forces of Brazil and Hungary. In addition, military officers continue to hold positions of prominence within the police force, especially in Brazil. Mr. da Silva and Mr. Szikinger argue that militaristic policing is undemocratic and threatens racial minorities for three main reasons. First, a conservative culture, resistant to change and unresponsive to certain sectors of society, develops.[2] This culture engenders internal cohesion, separation of the police from the population, and hostility to external control. Second, militarized police forces are centralized. Local police departments lack the autonomy to fashion creative responses to the needs of the community. Third, because military entities are designed to destroy the enemy, military policing often results in overreaction and excessive force.

While their arguments against militarization are legitimate, qualifications are in order. Although militarized police forces in recently authoritarian countries are unlikely to respect human rights, some Western European democracies have somewhat militarized police forces that enjoy broad support. Their popularity is probably attributable to the fact that they are subject to civilian control and function under a

philosophy different from that of the armed forces. It also should be pointed out that all police forces, including civilian ones, engage in human rights violations.

Mr. da Silva and Mr. Szikinger reveal the weaknesses of the mechanisms of accountability in Brazil and Hungary. Neither country has any civilian oversight structures. Internal disciplinary mechanisms are not open to public scrutiny. Public prosecutors are reluctant to investigate police officers due to their interdependence. Judicial oversight of crimes committed by police officers faces institutional constraints.

The systems of accountability seem unlikely to improve anytime soon: Politicians lack the will to exert control over the police force or to initiate a comprehensive plan for change, and police leaders, attached to old methods, pose a large barrier to reform.

Community Policing: An Effective But Elusive Model

Mr. da Silva and Mr. Szikinger correctly argue that demilitarizing the police and strengthening mechanisms of accountability are essential to improving policing. But what might the new systems look like? Mr. Sanders' paper provides a possible answer.

The San Diego Police Department has implemented a successful system of community policing in a racially diverse city. The force was decentralized into eight units, which work with community members to set their own priorities. It took a number of other steps to make officers more responsive to, representative of, and accountable to the people they serve. For example, it developed community advisory groups, a new hiring policy, and civilian review boards.

Mr. Sanders describes a promising model for reform. However, replication of community law enforcement strategies in places like Rio de Janeiro or Hungary will not be easy. Reformers in new democracies must take into consideration social and economic conditions, the structure and resources of the police force, and the characteristics of police personnel.

In a city like Rio, a police force that works with disadvantaged minority residents is an alien notion. The favelados and the police have a relationship based on mutual mistrust and fear. The slum population is too large to be easily targeted by community policing programs. With crime rates soaring, the middle and upper classes are unlikely to support progressive changes. It is thus essential that proponents of reform focus on persuading the public that giving residents more control over law enforcement will reduce crime and the fear of crime for everyone. Moreover, community policing programs should be complemented by other social programs that address the problems at the root of violence and police misconduct.

Brazil, Hungary, and most new democracies have centralized and militarized police forces, which by definition are hostile to community law enforcement programs. The central tenets of community policing, citizen involvement and officer autonomy, run

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contrary to military doctrine. Certainly demilitarization, both in structure and philosophy, is a prerequisite of community policing.

Some studies suggest that implementation of community law enforcement programs does not reduce the demand on the force because, as people become more confident in the police, they call on them more.[3] This means that more resources will be required to maintain the prior level of activity. Moreover, community policing programs require a greater use of foot patrol, a labor-intensive form of policing. Because these programs give officers significant autonomy, they necessitate a better paid and better trained force. It is highly questionable whether a new, financially strapped democracy could afford the full range of community policing programs.

New democracies are forced to cope with not only more but also new types of crime, particularly organized crime and drug-related offenses. In many cases, police forces have not been trained to deal with these new threats, which require a high degree of specialization and professionalism. Developed democracies that have made the transition to community policing already employ a professional model of policing. For example, they make extensive use of technology, which considerably reduces the response time to calls from the public. By contrast, Brazil and other new democracies have never implemented professional models. These countries have the formidable task of implementing aspects of the professional model and community law enforcement at the same time.

In sum, simple replication of the promising reforms in Europe and North America might be problematic. It is essential, however, that new democracies learn and adapt what they can from community policing programs. Despite enormous societal and institutional barriers, they need to develop systems of policing that respond to the needs of minorities and all citizens.

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[1] Robert Reiner, "Policing a Postmodern Society," *The Modern Law Review* November, 1992, 761.

[2] For a comparative analysis, see Hugo Frühling, *Carabineros y la Consalidación, Democrática, Pena y Estado,* forthcoming.

[3] Jerome E. McElroy, Colleen A. Cosgrove, and Susan Sadd, *Community Policing: The CPOP in New York.* Newbury Park: Sage Publications, 1993.

The Favelados in Rio De Janerio, Brazil

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Violence plagues Brazil's new democracy, now in its second decade. Violent crime by civilians began to increase sharply in 1985, and violence by police has risen with it. In 1992, the police committed almost one-third of the country's murders.[1] The problems are especially severe in the city of Rio de Janeiro, which is the focus of this paper. In an attempt to quell disorder in Rio, the government has taken a series of repressive and counterproductive police actions, including the deployment of armed forces between November 1994 and April 1995.

It is clear that the government must attempt to make Rio's police more effective and accountable. Unfortunately, most of the proposals for reform are either insufficient or misguided. They generally fail to take into account the societal and institutional problems that lead to police misconduct. I will discuss four major problems that should inform any attempt at reform: Brazil's myth of the racial democracy, Rio's economic and racial division, the centralization of the police force, and its militarization. At the end of the paper, I will examine how left-wing leader Leonel Brizola and the inefficacy of prevailing policing methods have created an opportunity for reform.

The Myth of the Racial Democracy

Many Brazilians believe that their country has no racial problems. Taught in school and by the media that Brazil resolved its racial woes with the abolition of slavery in 1888, they cling to the notion that the country is a racial democracy, as opposed to a white autocracy like the United States. I shared this view until I visited the United States in 1968. Noticing little difference between race relations in the two countries, I began to question the belief that Brazilians lived in racial harmony. I also realized that as a black man, I had come to accept my inferior status. To this day, many Afro-Brazilians have negative self-images because they are simultaneously taught that they are inferior and that Brazil has no racial problems. Of course, such is the goal of a hierarchical state—to make the oppressed believe that their plight is natural.

At the time, I could not express my feelings on the subject. As a police officer, I was supposed to uphold the laws and propaganda of the military dictatorship. If I had openly questioned the state-perpetuated myth about race, not only would I have been breaking a

taboo, I may have been committing a crime against the state, a violation of the National Security Act (Lei de Segurança Nacional).

In 1988, political leaders were planning to use the centennial of the abolition of slavery to burnish Brazil's image as a genuine democracy. Unable to remain silent and freed by the transition to democracy, I entered a writing contest commemorating the centennial, sponsored by the Rio de Janeiro Bar Association. Politicians and police leaders were no doubt surprised to learn that one of the winners of the contest was a black colonel in the Military Police whose paper challenged the racial democracy myth, questioned the methods of the police, and revealed how society legitimized discrimination and police brutality.

In researching the paper, I was astonished to learn that virtually no Brazilian jurist has written about race. Almost all the work on the topic has been done by social scientists, who have begun to write extensively about race after neglecting it for many years. However, their analyses are generally superficial. Unlike academics in the United States and Europe, who have examined how racial prejudice influences and is influenced by violence and police brutality, Brazilian social scientists seldom do more than acknowledge that racism exists.

Scholars and journalists who write about crime in Rio basically ignore racial matters. When they write about groups of poor Brazilians who go to the elegant beaches and disrupt the peace by running wildly from one side to the other, they do not mention that most are black. Nor do they mention race when they write about the state's slaughter of children in the streets, omitting the obvious fact that most have dark skin. (According to research coordinated by Santos (1996), roughly 75 percent of the children killed by the government in the state of Rio were Afro-Brazilian. In the city of Rio, the figure was approximately 50 percent).[2] Most important, many presume to explain increasing violence and deteriorating relations between the police and marginal communities without considering race. To improve policing in Rio, scholars and political leaders need to contend with the fact that the city has severe racial divisions.

The Fractured City

With a population of 5.5 million, Rio is Brazil's second largest city, after São Paulo. It is an important political, financial, cultural, and tourist center. Lying between lush mountains and the sea, Rio is commonly said to be one of the most beautiful cities in the world. It is also one of the most divided. Upper and middle class neighborhoods sit in the hills and line the world-famous beaches, but about a third of the population live in 500 slums and squatter settlements, known as favelas[3].

At the turn of the century, Rio had only one favela, Morro da Favela (now Morro da Providência), formed by freed slaves and other homeless people, including many soldiers returning from the Canudos Rebellion in Bahia. As more favelas sprung up,

Rio's political and economic elites initially ignored them. Eventually, however, they concocted a number of schemes to expel the residents of the favelas, the favelados, to the city's periphery. But the elites never managed to move the favelados. Nor did they make an effort to deal with the burgeoning poverty at the heart of the city.

Today, conditions in the favelas resemble those of a third-world country. The favelas lack adequate sanitation, running water, education, and transportation. Thousands of homeless beggars and abandoned children roam the streets.[4] With few opportunities, more children are entering the drug trade. Between 1991 and 1996, the number of drug cases handled by Rio's juvenile court rose from 204 to 1,402. Of all juvenile offenders in 1996, more than 39 percent had no formal education.[5]

Officially, Rio is 55 percent white and 44 percent Afro-Brazilian.[6] However, it is difficult to determine the city's racial composition, partly because the government has engaged in a "whitening" policy. After the establishment of the Republic in 1889, immigration was reopened, except to blacks and Asians, whose admittance would be conditioned on Congressional approval. The Immigration Act of 1941 stated that Europeans were more "convenient" to the country.[7] These laws, based on the notion that white skin is more desirable, have encouraged mulattos and even blacks to identify themselves as whites. As a consequence, official figures exaggerate the percentage of whites. Furthermore, the government asks people to identify themselves as white, black, brown, or yellow, without regard to race or origin. Some blacks identify themselves as browns (mulattos), and some browns call themselves white or black.

In any case, it is evident that the vast majority of people in the favelas and in the poor areas on the city's periphery are Afro-Brazilian and that most people in the wealthy neighborhoods are white. Brazil's poor people are often called "marginals" because they are not citizens in the full sense of the word; they lack the means and opportunity to exercise the rights enshrined in the Constitution. Indeed, many elites do not believe that marginals should have full citizenship. The division between citizens and marginals is so stark that Ventura (1994) calls Rio the "fractured city" (cidade partida). DaMatta similarly depicts the social hierarchy in his seminal work, *Do You Know Who You Are Talking To?* (Você Sabe Quem Está Falando?)—an expression commonly uttered by Brazilians to assert their social superiority.[8]

The police are forced to navigate the chasm between the two Rios. It is extremely difficult to reform policing in such a divided city, one where people in the upper classes, instead of supporting efforts to make the police more accountable, demand that the police use whatever force necessary to control the favelados. Even when the police use brutal force, the upper classes call for stricter action. Meanwhile, police authorities either deny the brutality or blame "deviant" police officers. In other words, the police are used to maintain the very division that is at the root of violence and police brutality. I am not suggesting that societal change must precede police reform. I am saying that social

division poses a great barrier to reform and that attempts at reform should aim to bridge the gap between the two Rios.

Organizational Structure

Although Brazil has a population of more than 150 million people, spread across 27 states and 8.5 million square kilometers, local communities are largely dependent on decisions made at the federal level. Furthermore, cities and municipalities do not maintain police forces. Policing, though heavily influenced by the federal government, is primarily a state function. Each state has two police bodies: the civil police, responsible for the investigation of crimes, and the military police, charged with keeping order. The police force of the state of Rio de Janerio, which consists of 10,000 civil officers and 30,000 military officers, serves the city of Rio and more than 70 other cities and municipalities.

Although the management of the state force is centralized, the style of policing varies. In *Varieties of Police Behavior* (1978), James Q. Wilson analyzes eight police departments in the United States. He identifies three styles of policing: the "watchman style," stressing order maintenance; the "legalistic style," stressing law enforcement, even for minor problems; and the "service style," stressing informal problem-solving. Wilson shows that the style employed depends on the type of community. For example, the service style is often found in homogenous middle-class neighborhoods.[9] In a state marked by racial and social division, sustained by the myth of racial democracy, it is not difficult to determine which style prevails in marginal communities like the favelas. Police try to maintain order, with little regard to law enforcement, much less individual rights or the wishes of the community. The "watchman style" serves the demands of the elites and conforms to the historic role of the Brazilian police. In *Policing Rio de Janeiro: Repression and Resistance in a 19th Century City* (1993), Holloway says that the principal concern of the police during the 350 years of slavery was to maintain order. In the twentieth century, the authoritarian tendencies of the police were heightened by developments that I discuss in the next section.

Militarization of the Police

It is not possible to examine policing in Rio without considering the fact that Brazil is in Latin America, an authoritarian and militaristic region. Like many other Latin American countries, Brazil was for many years a military state. For two decades, beginning in 1964, the police were part of the military, enlisted in the war against communism. The military controlled all police functions at the national and state level. Army generals and colonels served as public security state secretaries, who were in effect police chiefs. The

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training programs at police academies, modeled on the army and subject to the army's control, focused on military tactics. Instead of learning the basics of police work, officers in training learned national security intelligence, siege techniques, and riot control. Indoctrinated in military philosophy, they were taught that their enemies, evil in essence, must be defeated. A model of police action that delineated "friends" from "enemies" meshed all too well with a society that had already distinguished between citizens and marginals. Poor people in the favelas and on the periphery were cast as enemies.

The military regime has not been in place for more than a decade. The president of Brazil is a scholar who cares about individual rights. States, no longer bound by national security doctrine, have some freedom to develop their own public safety policies. However, politicians continue to militarize the police, using the War on Drugs as their pretext and justification. Examples of militarization are legion. At the Ministry of Justice, the federal branch dedicated to public safety issues is headed by an army general. At the Ministry of the Army, the branch created under the previous regime to supervise the military police still focuses on police matters (military police forces are, under the Constitution, auxiliary forces of the Army and its reserve). The intelligence service of the military police is linked and oriented by the intelligence service of the army. Under the presidency of Itamar Franco (1993-95), an army colonel headed the federal police. At the state level, governors have resumed the practice of appointing army officers to direct public safety branches. During Rio's 1994 gubernatorial election, even the left-wing candidates, aiming to win the supports of the upper and middle classes, pledged to appoint an army general to head public safety; between November 1994 and April 1995, the government deployed tanks, canons, military helicopters, and other instruments of conventional war to Rio.

Regrettably, proponents of police reform seldom take into account the militarization of the police, as if the police operate in isolation from other institutions of government. Worse, they propose irrational measures, such as merging state police forces into one national force. Efforts to reform Rio's police should take aim at the militarization of the police and related management issues, such as absence of control and negative motivation. By absence of control, I mean that because of the militarization of the police, no internal or external force exerts sufficient control over officers' behavior: not the officers themselves, who are taught not to exercise discretion but to obey orders unconditionally; not the internal affairs division, which is modeled on the military and focuses on disciplinary rules related to internal hierarchy instead of police abuse of civilians; and not citizens, who have no vehicle to hold the police accountable. By negative motivation, I mean the prejudice against human rights expressed by law enforcement authorities, politicians, and even journalists. Some claim that efforts to uphold individual rights only protect criminals. Moreover, police authorities give cash

awards for "acts of bravery," which are invariably those in which officers risk their lives and often ones in which they kill civilians.

The Politicization of Police Accountability

When Leonel Brizola took office as the governor of the city of Rio in 1983, he established a mechanism of civilian oversight called the State Counsel of Justice, Public Safety, and Human Rights (Conselho Estadual de Justiça, Segurança Pública e Direitos Humanos). Representatives of government, including Brizola, and of nongovernmental organizations held seats on the counsel. Perhaps even more notable, Brizola stated that the police should treat all the residents of Rio as citizens. In a city divided between citizens and marginals, Brizola's actions were nothing short of heresy. Police officers accused Brizola of not letting them do their job. Elites claimed Brizola was too lenient on drug dealers and blamed his policies for increasing crime. Brizola lost the election for statewide office in 1986.

Promising to put an end to violence in six months, Moreira Franco was elected governor in 1987. At the end of his term four years later, violence and fear of violence had increased. Despite the opposition of the upper classes, Brizola was reelected. He restored his projects and introduced some news ones, such as a community policing project in Copacabana. He left office to run for president in 1994. Labeled the evildoer of Rio, he finished fourth.

Shortly after Brizola resigned, the government deployed armed forces to Rio in an effort to quell disorder. The new governor, Marcello Alencar, appointed an army general to oversee public safety and dismantled Brizola's policing projects. The general appointed by Alencar reportedly said that officers should "shoot first and then ask" questions. The remilitarization of the police has worsened violence and police brutality. The number of civilians killed or injured by the police and the number of police officers killed or injured have increased considerably. A 1997 inquiry by the state legislative body (Assembléia Legislativa) found that 64 percent of the civilians killed were shot either in the head or from behind.[10] Stray bullets from gunfights between drug gangs or between drug gangs and the police injure dozens of people every year. Automatic weapons, including many foreign-made assault rifles, have poured into Rio, making the gunfights especially lethal.

People of all classes are justifiably alarmed by the violence. The upper classes use private security measures to protect themselves from most types of crime but are vulnerable to kidnappings, which increased from 15 in 1989 to 119 in 1995. Compelled by the elites to spend much of their time combating kidnapping, the police view the favelados as the primary suspects, further straining relations. Meanwhile, the police do little to meet the needs of poor people in the favelas and on the periphery, who endure violent crime, the despotism of drug lords, and police brutality.

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Conclusion

The dire situation in Rio in fact presents an opportunity. People in the upper classes see that, despite the repressive measures they have supported, violence continues to increase. More are coming to realize that fighting violence with violence leads to more violence, and that conceiving of public safety as a war against abstract enemies invites terror. In 1998, elections for president and for governors will be held. Public safety issues will again be politicized at national and state levels. Will political leaders perpetuate the repressive system of policing that victimizes civilians and officers alike? Or will they seize the opportunity and help to mend a fractured city by making police accountable to their communities, including the favelas? We will soon know the answer.

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[1] Paul Chevigny, *Edge of the Knife*. New York: The New Press, 1995.

[2] The researchers made use of official data from the juvenile court of Rio de Janeiro (2ª Vara da Infância e da Juventude) and press reports of killings of children and adolescents.

[3] A study conducted by researchers of the Plano Estratégico da Cidade do Rio de Janeiro (1996) estimated that if one includes the so-called conjuntos habitacionais (popular housing projects) the people who live in these favela-like communities totals 42 percent of the city's population.

[4] In a 1992 study by the Instituto Brasileiro de Análises Sociais e Econômicas (IBASE), 861 children were reported to be permanently living on the streets in the city of Rio de Janeiro.

[5] Statistical data of 2ª Vara da Infância e da Juventude. (Cf. Entrada de Crianças e Adolescentes. 2ª Vara da Infância e da Juventude. Rio de Janeiro, 1996).

[6] *Colour of the Population* (Cor da População), based on the 1987 National Survey published in 1990. *National Survey*, 1989.

[7] Decreto 525/90, enacted on July 28, 1890 and Decreto-Lei 7.967/41, of September 18, 1941, signed by Getílio Vargas.

[8] Roberto DaMatta, "Você Sabe Com Quem Está Falando?" *Roberto da Matta, Carnavais, Malandros e Heróis.* Rio de Janeiro: Zahar, 1979, 139-193.

[9] James Q. Wilson, *Varieties of Police Behavior: The Management of Law & Order in Eight Communities.* Harvard University Press, 1978, 200.

[10] Dimmi Amora, *O Globo*, October 21, 1997, 11.

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The Roma in Hungary

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In its transition to democracy, Hungary has established institutions that provide for democracy and the rule of law. As a result, the country has by all accounts achieved a respectable human rights record since the first free elections in 1990. However, one serious problem remains: police misconduct against the Roma. The problem is partly attributable to social forces, most notably the alienation and poverty of the Roma, which have been exacerbated by the country's transition to democracy. However, political and police authorities are largely responsible.

Politicians and police leaders purport to reform the policing system. They have made some important steps, such as attempting to diversify the force and improve relations between the police and the Roma. Yet they have failed to fundamentally change the system. Politicians have not removed police leaders, even those who advocate discriminatory treatment, and have passed laws that reinforce oppressive policing methods and increase discrimination against the Roma. Meanwhile, the police have not initiated or supported efforts to change their methods or organization. Perhaps more important, neither politicians nor police leaders have developed sufficient mechanisms to make the police more accountable.

Without the proper vigilance, the police serve as a bridge between totalitarian states and democracies.[1] By failing to sufficiently reform the system, political and police leaders have not only subjected vulnerable residents to state-sponsored discrimination, harassment, and abuse, but also have preserved elements of the communist regime. Reforming the police is essential to completing the transition to democracy.

In this paper, I will analyze the problem of police misconduct against the Roma. After providing some background information about the Roma and police misconduct, I will discuss the institutional problems of the police, which must be overcome, and the mechanisms of accountability, which must be improved.

The Roma

Hungarians are no strangers to oppression. Turkish occupation in the sixteenth and seventeenth centuries followed by Austrian dominance until 1867 hardly allowed for self-determination. Foreign occupation fueled widespread nationalism, which remained the predominant ideology of political elites during the Austrio-Hungarian monarchy, which

ruled until 1919. Although the monarchy made some progressive reforms, intensifying nationalism during World War I led to open discrimination against minorities, especially Jews and gypsies. The monarchy ensured its demise by entering World II on the side of Nazi Germany. Soviet troops expelled the Nazis and their Hungarian collaborators in 1945. Communist forces, supported by Moscow, gradually implemented a totalitarian system of government, which stayed in power until 1989.

The Roma are one of the two main ethnic groups commonly referred to as gypsies (the Sinti are the other). Little is known about their early history. They lived in India until they moved eastward before 300 BC, perhaps because of the raid on Northwest India by Alexander the Great.[2] At the end of the Middle Ages, in the thirteenth and fourteenth centuries, the Roma arrived in Hungary. The Roma have faced discrimination and oppression throughout history, and their experience in Hungary has been no exception. During World I, for example, the monarchy gave vagrant Roma identity cards. Although the communist regime had no official policy of discrimination against the Roma, their inferior status was evident. In 1974, a government instruction pertaining to criminal statistics stated that the term Roma could not be officially applied to people conducting an honest way of life. In other words, the Roma were dishonest.[3]

The Roma have suffered greatly during the transition to democracy. Largely uneducated, they have not fared well in market competition. Roma, who make up 5 to 6 percent of the Hungarian population (10.5 million), have an unemployment rate of 60 percent, almost five times that of the overall population.[4] Many Romani families, usually large and poor, qualify for government benefits, exacerbating tensions between the Roma and the white majority. The Roma have been the target of attacks by skinheads and of governmental discrimination, less overtly racist but no less pernicious. Local governments have, for example, expelled Roma in the name of public health or security.

Police Misconduct

In Hungary, as in all countries, it is difficult to gauge the prevalence of police misconduct. Nonetheless, several studies paint a disturbing picture. For example, in the Hungarian Helsinki Committee's police custody monitoring program, 23 of 106 people said that they had been physically mistreated by the police.[5] The Roma, a poor, visible minority, are especially vulnerable. Reports invariably underestimate, often drastically, incidents of misconduct against the Roma. Official records cannot identify the ethnicity of complainants, and the Roma are unlikely to report or discuss misconduct for fear of retaliation, ignorance about the system, or knowledge that officers are seldom punished. Reports therefore offer only a snapshot of the reality.

The 1996 *White Booklet*, published by the Hungarian National and Ethic Rights Legal Defense Bureau (NEKI), documents nine incidents of serious police misconduct involving the Roma. They include cases in which the police injured two people when they shot into

a crowd; fractured the rib of a suspect during an interrogation; put Benzidene, a carcinogen, on a suspect to simulate blood stains; failed to intervene when a Romani man was threatened by a pitchfork-wielding assailant; and joined with the residents of a village to brutally beat a Romani man.[6]

The European Roma Rights Center cites many other incidents of brutality, which I will not list here. It is sufficient to point out that police mistreatment of the Roma is undeniably a grave problem, one that even Parliament has acknowledged, albeit indirectly.

Institutional Problems

Foreign and domestic experts tend to accept the claims of political and police leaders about the alleged democratic transformation of Hungarian law enforcement.[7] These leaders dismiss incidents of misconduct as isolated. However, theories about "rotten apples" and "temporary difficulties of transition" do not explain all the incidents of brutality, harassment, and discrimination. The problem is largely attributable to institutional and structural deficiencies. In this section, I will discuss four primary problems: the failure to replace corrupt police leadership, legislation perpetuating old police methods, the structure of the police, and new laws increasing discrimination against the Roma.

Actors Remain on the Stage

A change in police leadership did not accompany the transfer of political power in the early '90s. Although more than two-thirds of the 1989 police staff—many attracted by the superior working conditions and income at private security companies—have left the force, almost all of today's chiefs began their career under the communist regime. By failing to replace even those officials who champion discriminatory treatment, political leaders have sent a clear message to the police rank and file. This message undoubtedly carries more weight than constitutional provisions about individual rights.

Prior to the free elections of 1990, András Turós was the national commissioner of police. When the new government took over, it appointed a civilian to the post of national commissioner and Turós to the post of general deputy commissioner. Because the new national commissioner lacked practical experience, Turós maintained control of the police. One might be tempted to credit the political leadership for a wise professional choice that was not influenced by superficial slogans about parting resolutely with the past. However, the decision was neither professional nor wise. Under the communist regime, Turós, an outspoken hardliner, had ordered a number of raids with the express purpose of restraining the Roma. For that reason, the Liberal Free Democrats, the strongest opposition party in the first Parliament, objected to the appointment of Turós. The Minister of the Interior acknowledged Turós's infamous history but refused to remove him, citing his professional credentials. In 1994, a coalition of Socialists and

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Liberal Free Democrats took control of the government, but the new Minister of the Interior, a liberal, did not dismiss Turós until 1996.

Turós is hardly the only hardliner still in power. László Tonhauser, head of the Department of Police for the Fight Against Violent Crime, published an article in *Interior Review* about a 1979 raid against Roma "criminals."[8] The police raided suspects' houses and apprehended all the inhabitants, including children. Tonhauser praised the action, noting that the use of dogs contributed to its success (the suspects eventually confessed). He also claimed that the operation restored the self-confidence of the officers and public respect for the police.

The only effort to install new police leadership was a competitive selection scheme at the county and local level in 1990. Committees—consisting of representatives from the Ministry of the Interior, the National Police Headquarters, research institutions, police staff, and local governments—made recommendations for new police chiefs based on written and oral statements by candidates. Local assemblies could reject the committees' decisions. Unfortunately, very few new candidates applied, and those who did lacked the qualifications to compete with acting police chiefs, who were permitted to apply. In most cases, committees (one of which I chaired) were forced to recommend the acting chiefs. In some instances, the national police commissioner simply disregarded recommendations for new chiefs.

Legislative Confirmation of Old Methods

The Police Act of 1994 covered all the important organizational and functional aspects of law enforcement. Regrettably, the legislation failed to place policing into a solid constitutional framework, and legitimized oppressive policing methods inherited from the previous regime. During the Parliamentary debate, the Minister of the Interior explained the theoretical background of the bill. "Freedom guaranteed by the state belongs only to those having respect for the law," he said.[9] Of course, this belief is antithetical to the notion that all citizens, including offenders, have inalienable rights.

The failure of Parliament to reform policing was not a surprise given that the police leadership helped to write the Act. The police in fact used the Act to solidify their inordinate political power. A section of the Act states that the Minister of the Interior represents the police before Parliament. The provision is unprecedented in Hungarian law; Ministers normally do not represent the agencies that they direct. The Act also says that the police must be involved in the crafting of all legislative proposals concerning them. To be sure, the police should have some say on law enforcement matters, but investing them with such expansive power inhibits reform.

Perhaps most significant, the Act effectively upheld the core tenant of traditional policing: that virtually any means may be employed in pursuit of goals set prior to an action. Constitutional policing, by contrast, is based on the principle of proportionality: that the harm caused by an action must not be greater than the harm that the action aims

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to prevent. Section 15, paragraph 2 of the Act attempts to combine those two principles but greatly skews the balance in favor of the former. Although it says that the police should use the least harmful means possible, it also says that the effort to complete an action trumps consideration of the harm caused by the action; the ends still justifies the means.

Thus, the Parliament endorsed the police behavior displayed in the 1993 action in Orkeny, for example. There, police attempting to search a house in the Romani community were obstructed by a crowd of civilians. The officers brought in reinforcements and severely beat people who blocked their way to the house. The police injured many people, including a man whose tracheotomy tube was ripped off and a pregnant woman who lost her baby. Some Roma were charged with assault on the police. No officers were charged, however, presumably because they were attempting to achieve the stated goal.

The Orkeny case illuminates another disturbing aspect of Hungarian police—militarization. The 1996 Service Relations of Officers of Armed Organs Act overturned guidelines requiring that the police have service regulations different from those of the military. The law makes regulations uniform for all "armed organs," which include the police, the military, the border guard service, prison service, state and local fire brigades, custom service financial guard, civil defense, and national security agencies.

By law, police officers are soldiers, meaning that they are subject to special provisions of the criminal code. Disobedience even of an unlawful order is an offense. Officers may refuse to obey an order only if they are avoiding a criminal offense (in Hungary, many unlawful acts—petty theft, prostitution, driving under the influence of alcohol—are not criminal). Members of armed organs may be punished by criminal sanctions only if they harm others for personal gain. Superiors bear responsibility for the implementation of unlawful orders. Yet, they are also the ones charged with investigating potentially unlawful acts. In other words, they often determine the lawfulness of their own orders.

The Parliament has reversed the course set by the Minister of the Interior of the first democratic Parliament, who knew that a militarized police has no place in a constitutional democracy. In a democracy, police officers—partially autonomous—seek to serve the people, while soldiers—unconditionally obedient—seek to destroy the enemy. As K. A. Schlicter says, "The military is designed, organized, and equipped to effect the rapid, violent, and efficient destruction of the 'enemy,' whoever that may be. Military methods are not designed to handle the shades of gray that a police officer encounters on the beat, but are tailored to the stark black and white of the battlefield."[10] The Act of 1996 contributed to the militarization of the Hungarian police force, which—not coincidentally—has carried out a number of oppressive actions like the one at Orkeny.

Organizational Structure

All police officers are organized under one agency, controlled by the National Headquarters. The national commissioner, appointed by the Prime Minister but reporting directly to the Minister of the Interior, is chief of all police officers. The national commissioner has two deputies, the directors general. One director general heads criminal investigation, and the other oversees public security. They usually exercise direction through the 19 county police forces, although some special units, like the Airport Police and the Central Riot Police, report directly to National Headquarters. At the bottom of the pyramid are local police forces, which usually serve several municipalities. Hungary has 31,500 police officers, and 10,000 civilian employees who perform background functions.

The highly centralized structure inhibits the efforts of local police forces to respond to the security needs of their jurisdictions and may even exacerbate their oppressive tendencies. For example, under pressure from the National Headquarters to increase revenue, many local and county police forces engage in random road checks to find violations punishable by administrative fines. The practice distracts the police from more important tasks and increases the chances of harassment. A decentralized structure, in which local police forces could work with communities to set their own priorities, would greatly improve service and guard against misconduct.

Measures That Increase Discrimination Against the Roma

At the same the time that the Parliament was conserving elements of totalitarian policing, it was introducing new grounds for discrimination against the Roma. A provision in Act LXXXVI says that aliens who would be unable to integrate into Hungarian society may not be granted immigration permits. Liberal leaders managed to include in the legislation a clause stating that race, color, sex, native language, religion, ideology, national or other social origin, and condition of birth may not be obstacles to integration. According to the law, however, habits and attitudes deviating from "the Hungarian average" are legal grounds for refusing permits. The police, who are in charge of granting permits, determine what constitutes "the Hungarian average."

The Roma and other minorities therefore may be barred because of habits and attitudes that derive directly from their ethnicity. Many aspects of Romani culture do not conform to majority values. For example, the Roma customarily become sexually active at a much younger age than do most other Hungarians. Under the law, the police could deny immigration permits to the Roma because of their sexual precocity.

Another piece of legislation that invites discrimination against the Roma is a provision in the Police Act of 1994 requiring that police officers have a good reputation. The vague language demands clarification, but subsequent legislation further obscured the provision. A section of the Service Regulations Act of 1996 says that people cannot become police officers unless relatives and roommates agree to comply with police

investigations. The investigations, which may take place throughout the officers' service, aim to ensure that officers and the people close to them are leading "decent lives." Police investigators would likely find that the Roma do not lead decent lives. Moreover, affirmative action programs may be challenged on the grounds that the beneficiaries or their relatives do not lead decent lives. These provisions are one reason why the Roma are not proportionally represented among the police. Although the Roma make up more than five percent of the population, they represent less than one percent of police officers.

Accountability

In the previous chapter, I discussed laws that lead to oppressive policing. None of the laws, however, contain openly discriminatory statements. Interpretation and implementation are supposed to conform to the Constitution and international standards adopted by Hungary. In this section, I will examine how various institutions seek—and generally fail—to prevent illegal police practices.

Parliament

Neither the plenary session nor committees of Parliament have condemned the police for misusing their power against the Roma. Parliament's silence may be attributable to the lack of minority representation. Although the Act on National and Ethnic Minorities of 1993 provides for minority representation, the Parliament has yet to pass electoral regulations that make it a reality. An amendment to the electoral law, to be considered in 1998, calls for the election of minority delegates later in that year.

The Parliament, however, has indirectly criticized the police for attacks against the Roma by approving the reports of the four Parliamentary commissioners or ombudsmen, elected by Parliament in 1995. The report by the Minority Ombudsman explicitly addressed discriminatory treatment of the Roma.[11]

The ombudsman can influence policy only with suasion and publicity; they cannot issue binding instructions. Nor can they force agencies to comply with their investigations. The reports point out that the Prosecution Service refused to give the ombudsmen access to their records. A provision in the 1993 Ombudsman Act explicitly gave the National Police Commissioner the power to deny access to confidential files. Although Parliament has repealed that provision, the ombudsmen are still restricted in various ways. They cannot, for example, examine data concerning collaboration between the police and the Secret Service.

The Prosecution Service

The Prosecution Service is responsible for investigating and prosecuting police officers. Prosecutors initiate investigations or open them when officers are indicted. Required to collect both incriminating and exonerating evidence, they have full subpoena powers and

may interrogate witnesses and suspects. An investigating prosecutor may close the case; according to the Code on Criminal Procedure, prosecutors are to close cases if they cannot establish—and further investigation is unlikely to establish—guilt. When the offense is not serious, the investigating prosecutor may issue a reprimand. Otherwise, the investigating prosecutor forwards the evidence to prosecutors in another department of the Service, who present the case in court.

The Minority Ombudsman and others have criticized the Prosecution Service for failing to investigate allegations against the police. Ferenc Koseg reviewed the response of the Prosecution Service to allegations of police misconduct that frequently but not exclusively involved the Roma. He focused on three common offenses—mistreatment during arrest, forced interrogation, and unlawful detention. Koseg found that the Prosecutor Service failed to investigate more than 25 percent of the complaints against the police. Meanwhile, the police failed to investigate only about 8 percent of the allegations against civilians. Prosecutors claim that they fail to investigate a high percentage of allegations of police misconduct because the complainants are often criminals making reckless charges or attempting to justify their own actions. Certainly, some complaints against the police are spurious. Many, however, are valid and, in any case, most people who are mistreated by the police do not make complaints.

The Courts

The courts have not provided the Roma and other Hungarians with an effective vehicle for combating police misconduct. A primary problem is that people may only challenge formal, written declarations. The system seems to contradict section 70/K of the Constitution, which subjects all government actions that violate basic rights to judicial review. Police generally do not produce written documents even in cases where they deprive people of their rights. For example, police can take people into custody for up to 12 hours without charging them. They often use the time to extract confessions. Because such a practice is not sanctioned by a formal, written declaration, it is not open to judicial review.

The Constitutional Court, a separate entity, has wide powers to determine if legal norms comply with the constitution. It has issued some important decisions on discrimination and affirmative action but has yet to rule on police powers.

In theory, it is possible to win civil damages for police misconduct. However, in practice, it is virtually impossible because of the police's wide scope of discretion. For example, a famous lute player is suing the police for a broken wrist caused by what he alleges to be an unjustified handcuffing. The Police Act of 1994 says that the police may handcuff people in order to prevent attack, escape, or self-injury and to break resistance to arrest. In addition, the Service Regulations issued by the Minister of Interior said that police may use handcuffs for "security reasons," a vague description that could cover virtually any action. Furthermore, even if the action was illegal, the officer would not be

liable if he or she was instructed to use the handcuffs. The musician would lose his case if a superior officer said that he or she ordered the action.[12]

More generally, the court system has not been very diligent in protecting the rights of the Roma and other minorities; they certainly have not met the high standard enshrined in the Constitution and the Criminal Code. A section of the Criminal Code, for example, states that "the person who causes grave bodily or mental injury to a member of any national, ethnic, racial or religious group because the latter belongs to that group commits a felony and is punishable with imprisonment from two to eight years." The Supreme Court ruled that the provision does not apply to skinhead attacks against the Roma, Arabs, or blacks.[13]

A system that fails to protect minorities from skinheads seems unlikely to protect them from police abuse and discrimination. Indeed, NEKI reports on a 1996 case in which the court accepted the police's evidence without investigation and dismissed the statements of the Roma as "gypsy legend."[14] In another case, in which a Romani man was charged for having sexual relations with a 13-year-old girl, the court failed to consider as a mitigating circumstance the fact that the Roma tend to become sexually active at a much younger age than the general population. While ethnic values should never be grounds for acquittal, the court should have considered them in sentencing because they obviously influenced the *mens rea* of the defendant.[15]

Local Government

Local governments have limited power to influence policing in their jurisdictions. Although they have some say in the establishment of police units and the hiring of police chiefs, the national police organization has the final word on these matters. Local governments and police units are free to work out policy, which may pertain to police misconduct. The 1993 Act on National and Ethic Minorities provided for the establishment of minority self-governments. However, these bodies have little official authority and even less ability than local governments to influence policing.

Nongovernmental Organizations

A range of nongovernmental organizations scrutinize police behavior. Some monitor and protect civil liberties—the Hungarian Helsinki Committee, the Hungarian Civil Liberties Union, the Hungarian National and Ethic Rights Legal Defense Bureau, and the Hungarian Center for Protecting Human Rights. Others focus on the rights of the Roma—the European Roma Rights Center and the Romani Center for the Protection of Rights. NGO representatives are permitted by law to visit people detained by the police. The Ministry of the Interior and the police have acknowledged the importance of NGO oversight. But the relationship between the police and NGOs has not always been smooth. The police often accuse NGO representatives of obstructing their work. Nor do the efforts

of the NGOs always produce their intended consequences. The police frequently use the reports of NGOs to demand a larger budget for building more prison cells.[16]

Internal Accountability

The police have made limited efforts to improve their system of accountability. For example, the National Police Commissioners ordered all interrogations of Romani suspects to be tape-recorded.[17] The order, though well intentioned, was revoked because it unconstitutionally singled out the Roma. However, a simple solution exists: to tape record all interrogations regardless of suspects' race.

Much to their credit, the police have attempted to improve their relationship with the Roma. After consulting with the Minority Ombudsman, the National Headquarters of Police organized a conference focusing on police-Roma relations. The national leadership instructed police chiefs to cooperate with Roma self-governments. In a number of areas, the police fund and organize events for Romani children. Such efforts should not be underestimated; they foster mutual understanding and help both the police and the Roma overcome misconceptions.

Research, Hiring, and Training

To reduce police misconduct against the Roma, Hungarians need reliable information about its causes, nature, and extent. Researchers have conducted a number of studies, one of which sought to determine the prevalence of racism and prejudice among the police force. Based on a survey of 1,529 officers, a team of researchers headed by sociopsychologist Gyorgy Cspeli categorized 10 percent as racist, 27 percent as prejudiced, 23 percent as not prejudiced, 23 percent as empathetic to the Roma, and 17 percent as tolerant.[18] Although these findings are subjective, they suggest that racial factors cannot explain all incidents of misconduct.

Several studies sponsored and managed by the Institute of Criminology focused on Roma criminality. They have found no evidence that the Roma have a higher crime rate than the rest of society—a somewhat surprising finding given the Roma's social deprivation. Some researchers have argued for a change in the law that would allow police documents to cite the race of offenders and victims.[19] They say that such a policy would facilitate research and deter discrimination. However, other researchers and minority organizations are opposed to the idea. They say that free choice of identity is a constitutional value that transcends research interests and that racial statistics can be misused.[20]

The police have taken steps to improve hiring and screening procedures. The National Headquarters of Police has established scholarships for talented Roma in an effort to increase their representation in the force (the aforementioned "decent life" provision is

disregarded). The police have also begun to use psychological tests designed to weed out racist officers.

Conclusion

Research, hiring, and training initiatives help to ease tensions between the police and the Roma. Yet they are clearly not enough; police abuse and harassment of the Roma persists. Although the problem is partly due to deep and intractable social woes, political and police leaders could take a number of steps to decrease misconduct. They could repeal laws that preserve totalitarian policing and discriminate against the Roma. They could remove officers who advocate oppressive tactics. They could decentralize and demilitarize the police. They could strengthen and expand internal and external mechanisms of accountability. The measures are dramatic, but then so are the stakes. By taking these actions, political and police authorities would not only improve policing for the Roma and all Hungarians, they would do away with the final vestiges of the totalitarian regime.

[1] Hannah Arendt, *The Origins of Totalitarianism*. San Diego-New York-London: Harvest HBJ, 1993, 288.

[2] A. Fraser, *The Gypsies*. Oxford, UK - Cambridge, Massachusetts: Blackwell, 1992, 21-22.

[3] S. Hegedűs, "A cigánybűnözés statisztikai megítélése" (Statistical Assessment of Gypsy Criminality), *Belügyi Szemle*, 12/1978, 54-59.

[4] "*Jogfosztottan - Romák Magyarországon*" (Deprived of Rights—Roma in Hungary) *Human Rights Watch Report*, Magyar Helsinki Bizottság, Budapest, 1996, 13.

[5] F. Kőszeg, "Are Police Officers Punishable?" manuscript (in English), Budapest, 1996.

[6] I. Furmann, ed. *White Booklet 1996*, Legal Defence Bureau for National and Ethnic Minorities, Budapest, 11-49.

[7] See L. Salgó, "Az új típusú biztonság" (New Type of Security) Közgazdasági és Jogi Könyvkiadó, Budapest, 1994; D. G. Wilson, *Policing in Emerging Democracies: Observations and Recommendations Based on an Assessment of the Hungarian National Police Manuscript*, Louisville, Kentucky, 1996.

[8] L. Tonhauser, "Cigánybűnözők elfogására szervezett akció" (Operation Designed for Apprehending Gypsy Criminals), *Belügyi Szemle*, 1/1979, 99-103.

[9] Parliamentary Records, October 5, 1993.

[10] K. A. Schlichter, "Locked and Loaded: Taking aim at the Growing Use of the American Military in Civilian Law Enforcement Operations," *Loyola of Los Angeles Law Review*, Summer 1993, 1291-1333.

[11] *Report of the Minority Ombudsman*, 1995/1996, no. 54/1997, V. 21.

[12] "Benkő perel" (Benkő Litigates), *Mai Nap*, January 14, 1998, 5.

[13] BH (Published Court Decisions), 1994, 299.

[14] Furmann, 38-41.

[15] BH (Published Court Decisions), 1988, 218.

[16] M. Benke, P. Buzas, G. Finszter, R. Mawby, I. Szikinger, and A. Wright, "Developing Civilian Oversight of the Hungarian Police. Report on a comparative research into police accountability," organized and financed by the Phare Project of the European Union. Stafford, U.K.: Staffordshire University Business School, 1997, 105-107.

[17] Instruction no. 19/1996.

[18] Gy. Csepeli, A. Örkény, M. Székelyi, "Szertelen módszerek—Rendőrök és romák: A megkülönböztetésmentes viselkedés lehetőségei és akadályai" (Disarranged Methods—Police and Roma: Possibilities and Obstacles of Behaviour Free of Discrimination) preliminary research report, Budapest, 1997.

[19] Sz. Póczik, "Cigányság, bűnözés, bűnüldözés" (Gypsies, Criminality, and Prosecution of Crime), *Belügyi Szemle*, 6/1997, 5-11.

[20] A. Horváth, J. Bársony, "Hozzászólás Dr. Szilveszter Póczik: 'Cigányság, bűnözés, bűnüldözés,' valamint Dr. Bólyai János: 'A rendőrség és a cigányság viszonya Magyarországon' című tanulmányainak megállapításaihoz" (Reflection on findings of the studies "Gypsies, Criminality, and Prosecution of Crime" by Dr. Szilveszter Póczik and "Relations Between Police and Roma in Hungary" by Dr. János Bólyai), Belügyi Szemle, 6/1997, 36-42.

Racial and Ethnic Minorities in San Diego, United States

Jerry Sanders, Chief of Police
San Diego Police Department

San Diego, like many other large urban areas in the United States, has undergone a major demographic shift in the last fifteen years. Once known for its homogeneity, the city now has a minority population of more than 425,000, which represents more than 40 percent of the total. The San Diego Police Department recognizes the difficulty of serving such a diverse citizenry with traditional policing strategies.

To respond to the demographic changes, we have implemented a community-based policing program that seeks to make the force more responsive and accountable to citizens. It gives individual officers, local command structures, and civilians more control over policing in their communities. By encouraging the police to work closely with citizens, it seeks to overcome cultural barriers and problems that sometimes arise between the police and minority communities.

The shift in philosophy demanded changes in virtually every element of policing. The department has changed its structure, hiring practices, training programs, community-outreach efforts, and mechanisms of accountability. In this paper, I will discuss the various components of our program, which might help to guide other efforts to improve policing in diverse areas.

Neighborhood Policing

San Diego, a city of 1.2 million people and 400 square miles, sprawls along the southern Pacific coast of California to the border of Mexico. The population is 59 percent white, 21 percent Latino, 11 percent Asian/Pacific Islander, and 9 percent African-American. The Latino population is largely Mexican but also includes people from Central and South America.[1]

In 1993, as the city was transforming into a metropolitan mosaic, a group of sergeants and lieutenants set out to articulate the guiding principles of the San Diego Police Department. After receiving input from hundreds of people in the department, they wrote our Vision, Values and Mission Statement. Given to each employee on a laminated card, it reads:

The San Diego Police Department is committed to the development of positive, problem-solving partnerships with communities, government agencies, private groups and individuals to fight crime and improve the quality of life for all the people of San Diego. The principles upon which we base our policing are Human Life, Ethics, Crime Fighting, Valuing People, Loyalty, Open Communication, Fairness and Diversity.

Our mission is to maintain peace and order though the provision of police services that are of the highest quality and responsive to the needs of the entire community. We will contribute to the safety and security of the community by apprehending those who commit criminal acts; by developing partnerships to prevent, reduce, or eliminate neighborhood problems; and by providing police services that are fair, unbiased, judicious, and respectful of the dignity of all individuals.

To develop a force that lives up to those principles, we expanded and strengthened the department's neighborhood policing effort. Based on the Problem Oriented Policing (POP) philosophy, neighborhood policing seeks to change the way police officers think about crime and disorder. It encourages them not only to respond to crime but also to prevent it, perhaps even to solve the underlying problems that create it. Officers also widen their scope beyond crime to work on other problems that stimulate fear and unrest in neighborhoods. Meanwhile, the department considers community social services, as well as crime statistics, when evaluating the overall effectiveness of the police.

Officers are trained to identify and address problems using a four-step approach: scanning, analysis, response, and assessment. For example, the department received an extraordinarily high number of phone calls about children who were not returning home from the elementary school in Logan Heights, a predominantly Latino area. Parents and teachers were concerned for the children's safety, and the calls occupied a relatively large percentage of officers' time. To respond to the problem, an officer developed the Start Smart Program, which brought in Spanish-speaking officers to speak to students about safety issues. The officers encouraged the children to carry small cards with their name, address, and phone number, which they could show to a police officer or another community member if they were lost. They also instructed the students to provide information about themselves and their daily routine. Now, when children fail to return home, a quick check of the school records provides information that allows them to be located quickly. Since the program's inception, calls about missing children have declined dramatically. Fewer children are at risk, and officers have more time to address other problems.

Traditional policing strategies presume that police officers have sole responsibility for maintaining public order. The Neighborhood Policing program ensures that officers do not solve problems alone. On the contrary, it recognizes that community members, given the opportunity, can take responsibility for changing conditions that generate crime.

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Police officers join with families, individuals, schools, organizations, churches, and businesses to increase public safety.

For example, the police recently collaborated with city agencies and nongovernmental organizations to address a long-standing problem. The 1400 block of J Street was an infamous area for drugs and drug-related crimes. Sellers and buyers gathered on the south side of the street in front of four unsupervised houses. They would use and sell drugs in the houses and the backyard. The few tenants who remained in the houses had to endure leaking sewage, dilapidated ceilings, and a broken furnace. The walkway in front of the houses was lined with overgrown trees and bushes, which provided cover to anyone entering or leaving the property. The block, without a single street light, was very dark at night, making illegal activity impossible to detect and creating a threatening atmosphere for residents.

Because the owner of the property refused to improve or manage the houses, the original plan of a community alliance, led by the police, was to abate the property. The City of San Diego's Code Compliance drafted a notice of violation and sent a copy to the City Attorney's Office. A member of the City Attorney's staff met with narcotic detectives to discuss drug trafficking on the block.

Under pressure, the owner promised to maintain the property and to donate one of the units to a nonprofit organization, the Alpha Project. A program called Livable Neighborhood gave a grant to help restore the block. Fifty homeless people were paid six dollars an hours to clean up the property. The local media reported on the effort.

Unfortunately, the owners failed to live up to their end of the bargain. The houses were again overrun with drug dealers within two weeks. After abatement procedures were initiated, the owner claimed that he did not have the money to maintain the property. The police, community leaders, and the owner worked out an agreement: The house that received most of the code violation would be abolished; the owner would follow through on his promise to donate a house to Alpha House; and the property around the house would be turned into a community garden. Since this resolution, the block and the surrounding area have shown new life.

Structure

As neighborhood policing began to take hold, the department realized that the system required sweeping structural changes. We set up a task force of police officers and community members to make recommendations, many of which were implemented. We decentralized the organization into eight command units, each with its own station; gave the eight patrol captains broad authority; reconfigured the decades-old beat system after the residents demarcated the neighborhoods; and established community advisory groups.

Reflecting the Communities

The department recognizes that neighborhood policing will only be successful with a force that reflects the racial and cultural composition of the communities it serves. Officers of different races and ethnicities help the force understand the culture, needs, and fears of the communities, while residents come to believe that the force truly represents them. Of 2,038 sworn officers, 14 percent are Latino, 8 percent are African-American, 3 percent are Asian, and 2 percent are Filipino. In addition, the department employs officers who speak Cambodian, Hmong, Laotian, Vietnamese, Tagalog, and Thai.[2] Bilingual officers receive compensation for their language skills and for the unique perspective they bring to the force. The department has also instituted a diversity training program, which broadens officers' understanding of different cultures and their public safety needs.

Training

The Neighborhood Policing Program requires well-trained officers, schooled in the principles of Problem Oriented Policing. A recent grant from the National Institute of Justice enabled the department to revise its training programs to reflect its commitment to community policing and cultural awareness. Officers in training at the San Diego Regional Public Safety Institute learn the basics of policing, with a heavy emphasis on the use of discretion, essential to neighborhood policing. They also take courses in the history of law enforcement and the role of the police in modern society. Community leaders teach courses so that officers grasp the concerns of the people with whom they will be working. Trainees work for 40 hours in a community-based organization to heighten their understanding of people's needs. The department also offers in-service training to officers at every level who want to sharpen their knowledge or move into another area of expertise.

Community Outreach

The department knew that decentralization would not be enough to inspire community involvement; the notion of working with the police to improve public safety is foreign to most people. Thus, we put in place several programs and structures that enable citizens to assume some responsibility for keeping their neighborhoods safe.

Advisory Boards

The department formed advisory boards that give citizens a formal vehicle to help shape policing strategies. Every month, I meet with a citywide advisory board, the Service Area Board to the Chief of Police, comprised of 25 citizens chosen for their leadership on public safety and related issues. In each command unit, a local advisory board meets with

the station captain. Finally, African-American and Asian communities have special advisory boards to help break down cultural barriers.

Storefronts

The department has established a number of storefront facilities, designed to further decentralize public services and to increase cooperation with minority neighborhoods. Police employees, representatives of other governmental and nongovernmental agencies, and volunteers who speak relevant languages staff the storefronts. These facilities provide easy access to public services and a meeting place for officers, merchants, and residents. Logan Heights has an active storefront. Spanish-speaking officers coordinate weekly meetings at which citizens express their public safety concerns. The storefront also is the site of school assembly programs, bicycle safety classes, and graduation ceremonies. It has helped officers and citizens revitalize the neighborhood, traditionally neglected by city agencies because of its lack of political power. Together, they have reduced crime by 22 percent since 1995 and cleaned up many of the drug houses that had blighted the neighborhood.[3]

Community Service Officers

The department has strengthened its links to communities by hiring citizens to perform nonhazardous police functions. The more than 50 full-time community service officers (CSO), chosen for their cultural knowledge and language skills, are more than just liaisons to the community. They staff storefronts, direct various public safety programs, conduct home security checks, organize community meetings, and make public appearances. Those who work with patrol officers respond to nonhazardous calls for service, such as those involving auto theft, burglary, petty theft, and malicious mischief; investigate minor traffic collisions; assist at serious accident scenes; issue citations for parking violations and other misdemeanors; and check reports of health and safety hazards. The CSOs enable sworn police officers to respond more quickly to urgent calls and to spend more time working with community members to solve public safety problems. Several CSOs have become sworn members of the force.

Volunteers

The department has one of the country's most successful volunteer programs. Ranging in age from 18 to 80, more than 1,000 people—including doctors, homemakers, retail clerks, retirees, and lawyers—donate their time to the force. They are divided into four sections: Volunteers in Policing (VIPS), Retired Senior Volunteer Patrol (RSVP), Crisis Intervention, and Emergency Management personnel. More than 450 VIPs work at police headquarters, area police stations, and storefronts. They assist officers with paperwork, take reports over the phone, lift fingerprints from stolen cars, and enter information into the department's database. The 400-plus members of the RSVP, who

are at least 55 years old, work many hours a week to help the police department. Donning distinctive uniforms, they devise solutions to problems that produce crime, visit elderly people who live alone, monitor squatters living in motor homes in coastal communities, and conduct home-security checks.

Other Programs

In 1994, a task force of community members and police officers created Neighborhood Watch—the Next Generation, which seeks to train citizens to solve public safety problems and to look out for each other. CSOs help to tailor Neighborhood Watch to the needs of the communities and recruit citizens to perform the program's function. Neighborhood Watch volunteers train people how to notice and report suspicious activity and to improve the security of their homes and businesses. In 1997, the program was placed under a board of directors, divided evenly between community members and police personnel. The STAR program for children is a joint project of the Police, Fire, Park and Recreation, and Library departments. It organizes sports leagues, afterschool tutoring programs, and academic contests for hundreds of children. The department also has formed a citizen's police academy, which educates people about the role of police officers and the principles of community law enforcement. In addition, more than 3,000 residents participate in the Citizen's Patrol. Trained by police officers, they patrol their neighborhoods at evening and on weekends, looking for crime and problems that cause it. Finally, the department has hired four full-time community relations assistants (CRA), who interpret and relay the concerns and complaints of citizens directly to the police chief.

Accountability

Even in the best-trained, most effective police organization, officers commit blunders, treat citizens disrespectfully, and use unnecessary force. Just a few incidents of misconduct and ineptitude can undermine public confidence, on which neighborhood policing relies. The department has implemented a comprehensive system of external and internal accountability to minimize incidents of misconduct and to assure citizens that their complaints are taken seriously.

Lodging Complaints

Citizens must be able to lodge a complaint without fear of repercussion. The department has a longstanding policy that requires police officers to field complaints about anything from anyone at anytime. Complaints fall into two categories. Category I complaints cover unnecessary force, false arrest (including fourth amendment violations), discrimination, criminal conduct, and racial and ethnic slurs. Category II complaints include poor service, discourtesy, improper procedure, conduct unbecoming, and everything else.

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Citizens can file complaints at police stations, storefronts, and many community-based organizations. Because many people, especially those who have fled totalitarian states, are afraid to criticize governmental authority, the Citizen's Review Board, which I will discuss, devised ways for complainants to avoid police facilities. They may go to the Citizen's Review Board liaison office at City Hall or file complaints through the mail and by phone.

Internal Investigation

Two units investigate wrongdoing by police officers. The Internal Affairs (IA) Section responds to Category I complaints from citizens and officers, while the Professional Standards Unit launches proactive investigations of misconduct, ranging from brutality to corruption (commanding officers have primary responsibility for investigating Category II complaints). After receiving a form detailing the complaint, IA officers inform the complainant and the commanding officer that they have initiated an investigation. They employ all investigative methods, including interviews with the subject and police and civilian witnesses. IA officers strive to complete the investigation within 15 days after receiving the complaint and must contact the IA Section if they will not meet the deadline. They make one of five findings: sustained (the officer committed all or part of the alleged misconduct); not sustained (there is insufficient evidence to clearly prove or disprove the allegation); exonerated (the alleged act occurred but was justified, legal, and proper); unfounded (the alleged act did not occur); and discrepancy noted (the officer violated a section of the Department Policies and Procedures not alleged in the complaint). The department promptly notifies complainants about the outcome of investigations.

Citizens Review

In 1989, a ballot measure established a Citizen's Review Board to oversee the investigation of complaints against police officers. The board's 21 members, selected by the city manager, represent the city's different areas and cultural groups. The board reviews all Category I complaints, shooting incidents, and cases in which people die as a result of police action. The board has learned to work with the police department, and the creative tension has helped to produce a more effective system of accountability. In more than 93 percent of the cases reviewed by the board since its inception, it has agreed with the findings of Internal Affairs.[4] Moreover, it was largely because of the board that the department improved officer training, investigation and complaint procedures, and use-of-force policies.

Use of Force

One of the most volatile issues in a democracy is the use of police force, especially in minority communities. The department goes to great lengths to ensure that force is only

used when necessary. Officers may need to use force to protect themselves or others, make an arrest, overcome resistance, or control a suspect. The level of force must correspond to the immediate action of the suspect, not to the crime involved. Officers are held accountable for the force they use. They must explain in writing any forceful action beyond in-custody handcuffing. A police action that results in injury to a suspect automatically triggers an IA investigation, even if the civilian does not complain. This policy ensures internal oversight and helps the department track trends.

Discipline

In setting and enforcing standards of performance and conduct, supervisors are guided by several objectives. First, they communicate to the entire organization and to the public that the department has rigorous but reasonable standards. Second, they try to make sure that officers understand what is expected of them. Third, they inform officers when their performance or behavior is cause for concern. Fourth, they offer help to those whose performance can, and must, improve. Fifth, they administer appropriate punishment to those officers whose misbehavior is willful or grossly negligent. Sixth, they attempt to use discipline in a way that does not tear down the officer but improves his behavior and builds morale. It is the policy of the department to use "progressive discipline," whenever possible. That is, officers will be punished less severely for a first offense than for a subsequent, similar offense. However, not all punishments follow a prescribed pattern.

Conclusion

Not only can the Neighborhood Policing Program be revised, it must be revised to remain effective. Recently, for example, we again restructured the department into 21 neighborhood service areas. We also commissioned a private consulting firm to review the practices of the department. The firm identified seven goals, several of which involved increasing the communities' involvement in policing. We formed committees to devise strategies for pursuing the goals and held a number of meetings to continue the planning process. The department will implement the changes over the coming months.

Police forces strive to reduce crime, treat citizens fairly, and give them a sense of security. Although it is difficult to gauge the success of policing strategies, the Neighborhood Policing Program seems to have improved the quality of life for citizens of all backgrounds. Crime has dropped by about 43 percent in the last five years, and by about 34 percent in the last three.[5] Not every attempt to make the police more effective has succeeded. Yet the department has shown that with effort and imagination, community policing may be the best law enforcement strategy in a diverse society.

[1] San Diego Police Department, Crime Analysis Unit, 1996.
[2] City of San Diego, Personnel Office, 1996
[3] San Diego Police Department, Crime Analysis Unit, 1996.
[4] San Diego Police Department, Internal Affairs Unit, 1997.
[5] San Diego Police Department, Crime Analysis Unit, 1996.

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Boris Pustintsev is President of Citizens' Watch, a St. Petersburg-based human rights group which oversees Russia's State Security Service, armed forces and criminal police. He is also a founder and leader of the St. Petersburg wing of the Democratic Choice of Russia, a political party which advocates political and economic reform. In June 1993, Mr. Pustintsev was awarded the Officer's Cross of the Republic of Hungary in recognition of his work as an activist following the Soviet invasion of Hungary in 1956. He has served as an adviser to human rights activists, federal judges and professors in the United States, and in September 1994 gave testimony to the Council of Europe on the state of human rights in Russian jails and in the army.

Jerry Sanders was appointed as San Diego's Chief of Police in 1993, where he has led restructuring and retraining efforts in order to implement community-based, problem-solving policing strategies. Mr. Sanders has served the San Diego Police Department for 24 years, holding a variety of positions including SWAT Commander, Training Academy Director, Field Operations Commander and Assistant Chief of Police.

István Szikinger is a staff attorney at COLPI, the Institute for Constitutional and Legislative Policy, where he directs projects related to police and human rights. From 1991 to 1995, he founded and directed the Police Research Institute and served as chair at the Police College, where he was also head of the political science department and a professor of constitutional law. Within the Ministry of the Interior, Mr. Szikinger has held responsibility for the Department of Police and Border Guards and the Secretariat of the Deputy Interior Minister. He has conducted extensive research on policing and public administration and is the author of several articles on police reform and human rights in Hungary.

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