



# INNOVATIONS FOR SUCCESSFUL SOCIETIES

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FLOR HUNT: We are here on July 2 with Dr. José Humberto Posada Sánchez. Dr... Sánchez Posada? Posada Sánchez?

JOSÉ HUMBERTO POSADA SÁNCHEZ: Posada Sánchez.

HUNT: Posada Sánchez?

POSADA SÁNCHEZ: Yes, thank you.

HUNT: Could you please describe your current position?

POSADA SÁNCHEZ: *Right now, I am the legal advisor to the Office of General Management of the national police in El Salvador (asesor legal del Despacho de la Dirección General de la Policía Nacional Civil de El Salvador). It's a post I've been in charge of since the last administration, the administration of Rodrigo Ávila. Previously, I was a consultant for the assistant-head of Citizen Safety (viceministro de Seguridad Ciudadana), which was, from the beginning... In 2002, the Sub-Department for Citizen Safety was created. I was under contract with the Policía Nacional Civil as chief of the judicial unit and I was transferred to the Department, at the time the Department of Government (Ministerio de Gobernación), nowadays the Department of Public Safety and Justice (Ministerio de Justicia y Seguridad Pública), with the intention of helping out the assistant-head in building his sub-department, in determining what institutions he had to oversee. So I can tell you that the Policía Nacional Civil, the National Academy of Public Safety (Academia Nacional de Seguridad Pública), the National Antidrug Commission (Comisión Nacional Antidrogas de El Salvador), the INTERPOL (International Criminal Police Organization) at the sub-regional level, the General Office of Migration (Dirección General de Migración y Extranjería de El Salvador), the General Office of Penal Centers (Dirección General de Centros Penales de El Salvador), the General Office of Citizen Safety in El Salvador (Dirección General de Seguridad Ciudadana de El Salvador), were all under the aegis or the control or responsibility of the assistant-head of Citizen Safety. These are thus great areas that had to be... under the office of the assistant-head and that had to be given public safety policies that had to be applied and executed by each and every one of them. When Mr. Ávila was named general director of the police, having had the post of Assistant-Head for Citizen Safety, he takes... the opts for... for returning here with us, to the police institution. Previously, I had been a constitutional congressman for Democracia Cristiana (Partido Demócrata Cristiano de El Salvador, PDC). After finishing our job, congress was converted into a normal legislative assembly and after that, I worked during the term of José Napoleón Duarte. He named me Ambassador to the Republic of Guatemala. I finished that term and after that I participated in the elections in order to become member of the Central American Parliament (Parlamento Centroamericano, PARLACEN). 20 congressmen constitute the Central American Parliament, one for each country of the Central American region. That's how I would very briefly describe my resume or curriculum.*

HUNT: Very well. Thank you very much. Well, you obviously have plenty of experience, but since this interview is only an hour and a half long, let's see if you can explain to me what your specialties are within police work or in the security sector. For instance, in administration, recruiting, training, community relationships, investigation, or some other aspect of police work.

POSADA SÁNCHEZ: *Well, as I said, my post is as advisor to the office. I have to provide council for them, in as much as it is possible, in all the areas that make up a police force. This means that I see the documents that come into the office of the general director to make sure that everything is done in accordance with what Salvadorian law establishes. That is to say, I go through national cooperation agreements with other state institutions. I also go through international aid documents. I analyze the functions performed by the sub-offices of transit, specialized operative areas, investigations, public safety, etc., in order to ensure that their actions are eminently in line with what Salvadorian law establishes. Sometimes, words are not enough to*

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*describe the magnitude of what this job entails, but I can tell you that it involves a great responsibility and large amounts of documentation that have to be analyzed in each of those fields.*

HUNT: Generally speaking, one of the most important tasks in building police services is establishing an internal administration structure for them. Administration can mean a lot of things, as you certainly know. Central elements normally include promotion systems, disciplinary systems, registrar systems, accounting, and also other systems that help the police respond to their... to their directives and policies, right?

POSADA SÁNCHEZ: Yes.

HUNT: Have you ever advised any local or national police services on matters of strengthening their internal administration?

POSADA SÁNCHEZ: *Yes. Given my training as a lawyer, one of the... of the functions that I've had here in the police during the eight years that I've been working here is writing legislation, legislation that is sometimes eminently police legislation, and that sometimes has to do with the functions of the police and that have to be reflected on different kinds of legislation. Legislation can be penal or administrative, which are the great areas within which the police work takes place. Lately, I work on disciplinary law. Before, it was through the rule code. Since everything that is meant by implementing discipline was established within the institution, the Supreme Court of Justice established that much of that had to be reflected in a law and that's the latest that's been done. I also worked on the Ley Orgánica de la Policía Nacional Civil. It's a law that was approved in 2002, where, under the precepts of that epoch of... of the head of security or of governance, a structural law was created, in such way that, without getting into details, the law was flexible and easy to apply. Lately, on that matter of the Ley Orgánica, we have been strengthening the police institution in terms of promotion courses for officers who aspire to higher or superior ranks. So, then, we have assistant commissioners who are in a process to become commissioners, and we also have inspectors in a process to become chief inspectors.*

HUNT: What would you say were the most significant administrative problems that you or the police force confronted in terms of getting police officers to... to stick to the goals, objectives, or standards set for the police force?

POSADA SÁNCHEZ: *You have to remember that this is an institution that is barely fifteen years old. As a result of the peace treaties (Acuerdos de Paz de Chapultepec), this is an institution that is totally separated from the armed forces. They belong to different departments, and thus the police force has an eminently civilian spirit to it. The gentlemen who... who form the upper level at the moment, they came into the force by way of three groups. At the time, in order to be admitted, since this was a political agreement, they were admitted based on quotas: twenty percent came in as officers from the armed forces, twenty percent came in as former guerrilla commanders, and sixty percent came in from the civilian population, which was motivated at the moment to form part of the leadership squads. The police force had three levels: the higher level, which is formed by commissioners and assistant commissioners. When they came into the police they were assistant commissioners. In the promotion process, the first two classes are already commissioners. We still need to create the last level, which is the higher level, the level of the general commissioner. After that higher level, you have the executive level, which is formed by assistant inspectors, inspectors, and chief inspectors. A group of them is now going through a process to become chief inspectors, a process to ascend to that rank. There was also a need for police personnel with the rank of chief inspector. The three initial graduating classes, sorry, the four initial classes of... of the police, in its executive level, were admitted in the same way that we trained people for the higher level: based on quotas. From the fourth graduating class on, really, beginning with the fourth graduating class, there is a legal requirement to have a college degree in order to gain admission to the higher ranks of the police force. From the fourth graduating class to the tenth one, which is the one that right now is at the executive level, all of them already have*

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*a college title at the very least in order to come in here. At the basic level, which are sergeants, officers, and agents... That is the bulk of the institution. There are more than 15,000 people that hold that rank in the police.*

HUNT: If the directors of the reform programs had any freedom in the design of these procedures, did they work with government officials, with community members? That is to say, how did the reform system develop during that time?

*POSADA SÁNCHEZ: The peace treaties stipulated that the former security forces that existed in El Salvador would disappear. There was the National Police (Policía Nacional de El Salvador), the National Guard (Guardia Nacional de El Salvador). The National Police worked in urban areas, while the National Guard worked in rural areas. There was the Treasury Police (Policía de Hacienda de El Salvador), which was in charge of contraband. That was also a rural force, with very little work in urban areas. Also, there were other kinds of police forces that were less relevant, such as the Customs Police (Policía de Aduanas). All those security forces disappeared in order to construct a new one, the national police of El Salvador (Policía Nacional Civil de El Salvador), or PNC, as it is often known. The process consisted in gradually deploying those elements that were graduating in the country. In the beginning, it was very... very difficult because it had to step in for the security forces. What I'm trying to convey here is that the old forces did not disappear instantaneously, but rather, it was a process of having the new police occupy the positions that those security forces were vacating, a matter of having the new police take up functions that are eminently police functions in its hands, in the whole nation, where they were placed gradually and increasingly. In that sense, the police is now found all over the country, but there are some municipalities that still do not have a police station because the crime situation is extremely minimal and it hasn't warranted a... the construction of a station. Also, these are very, very small communities in terms of the number of inhabitants and their crime indexes are also... they're also very minimal, so that if there is a need to address a situation of illegality, the closest police station goes and oversees that situation. There are very few of them, about ten cities in the country, places that still don't have a... a police station.*

HUNT: At the time, did you play a part in the construction of the National Police?

*POSADA SÁNCHEZ: In the beginning, what we worked on was the elaboration of a new constitution. A constitution that, from our perspective at the moment, was... visionary, in terms of forming a democratic state in our country, a state based on unlimited respect for human rights and also, in the interval between having a constitution and a democratic regime, a state based on strengthening that new rule of law. We were coming out of a military dictatorship that lasted more than forty years. That was one of the tasks that I completed in the constitutional assembly. The constitutional assembly of El Salvador... At the time, in Central America, we had a very intense conflict going on, a conflict based on ideological disagreements where Guatemala was implementing a policy of active neutrality. In Nicaragua, there was the Sandinista regime. In El Salvador, we were opening up a democratic process after a coup d'état, when the last military regime took over. There were also problems in Honduras, and what remained an exception in the Central American area is... is the democratic way in which Costa Rica carries itself. They have more than forty years without an army and Costa Rica has definitely achieved a very substantial level in matters related to the creation of a democratic state. In Panama, there was still a military regime, where General Noriega (Manuel Noriega) was president, but we all knew that those elections were... Well, they came about with the condition that they would maintain the military structure as the dominating force in society.*

HUNT: In the transition to democracy, was an effort made to strengthen the capabilities of the Department for Public Safety, or was it created...? How was that...? What were the reforms to the departments like?

*POSADA SÁNCHEZ: Well, the thing is that here, in our country, each regime, each presidential term, the president structures his government cabinet according to his vision. During the time of*

*my participation in politics, we had a Department of the Interior (Ministerio del Interior), that is, in a normal regime in El Salvador, among the departments that are pivotal or among the more influential departments, due to the political role that they fulfill, you have the Department of Foreign Affairs (Ministerio de Relaciones Exteriores), for everything that is related to the foreign policy of an administration; and the Department of the Interior (Ministerio del Interior), which is the one that sets policy related to handling the whole structure of a certain society. That translates to control over governors in the fourteen departments that we have in our country, and the mayors, the 261 that we had at the time. Later, another municipality was created, and that is why El Salvador now has 262 municipalities. As these election processes have taken place, and, as I was telling you, the presidents have changed things in El Salvador... In the beginning, there was a Department of the Interior and a Department of Justice. The Department of Justice was the one that looked after the creation and the enforcement of the law. These two departments were fused together and the Department of Public Safety and Justice (Ministerio de Seguridad Pública y Justicia) was created. The Department of Public Safety and Justice thus overlooked what used to be the former Department of the Interior and the Department of Justice. Afterwards, the Department of Public Safety disappears and the Department of Government (Ministerio de Gobernación) was formed. The Department of Government took up the functions of those two departments and other government agencies that in one way or another may have answered to another state institution. Today, what we have is a Department of Public Safety and Justice, formed two years ago, through which we returned to the previous model of having a department focused on and responsible for the creation of public safety policies. That is the structure with... the structure that we now have in El Salvador during this administration of President Saca (Eliás Antonio Saca González).*

HUNT: Very well, thank you. At the level of police administration and what constitutes internal relations, has there been an evaluation to determine the best way to incentivize the police personnel so that it does its job well, especially when the police force was being built?

POSADA SÁNCHEZ: *Yes. As I was telling you, this is a police force that is fifteen years old. It's a police force that's in the process of consolidating. In the beginning, the functions of the police force were related to public safety, but police forces are divided into specializations. We needed a transit police. We needed a criminal investigation force, in other words, detectives, as they are also known... In some parts of the world, police investigators are also known as detectives. These had to be specialized, like the transit police officer. Or the units that deal with more delicate situations, such as the order preservation units, and police reaction groups, which in the United States are known as SWAT (special weapons and tactics) teams; an aerial police group, which is the everything that has to do with the aerial part that a police institution must cover, and same thing with the maritime police group. These were units that we considered units of high specialization due to the difference in their training compared to the training that may be given to public safety police officers. That is to say, in the process of strengthening the institution, the police has gradually covered these areas of specialization, and therefore it has trained its personnel in that given area. That is how we have... divided the police into different areas of attention to Salvadorian society. And for the rural area, the rural police was created, which mainly deals with crimes like cattle rustling, which is... cattle theft, and other activities that may be going on in that area, such as endangering the environment in... in... El Salvador still has areas that have been reforested. Or preventing coffee theft in areas where... where El Salvador is growing coffee. You have to remember that this country, El Salvador, is a country that exports coffee to the world, and same thing with sugar cane. These are functions that have been created here in the last two to three years. By the way, during the Ávila administration, other, more specialized units were created, such as the division of judicial regulation enforcement, which in the United States is called the "marshalls" unit. What they do is to look for people with arrest warrants based on the orders given by a judge. They specialize in that activity and in along those lines we have other units dedicated to... to... to special operations, units looking for people who have arrest warrants, which can be issued by a judge or a prosecutor.*

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HUNT: Obviously, the police force that El Salvador had before the peace treaties had been accused of having too much impunity and there were many problems with it. When the Policía Nacional Civil was formed, did your program try to make any changes to the disciplinary system in order to ensure that... that the rules were... in agreement with... with your democratic values?

POSADA SÁNCHEZ: *Well, we can see that in... in different scenarios. The whole the police force has to have very clear discipline, very rigid, so that a structure of efficiency is maintained. That has been... Because here, in El Salvador, we have to take into account that during these fifteen years we have received assistance from police forces from other countries. Mainly, since the peace treaties, we have received assistance from the Spanish police and the French police. Aside from that, we have received a lot of training from the Japanese police, the Brazilian police. Today, at the moment, we are receiving assistance from the Argentine police in matters of tourism because we've also created a unit of... of tourism, a police unit that is in charge of tending to foreigners who are visiting and also in charge of national tourists who are visiting parts of the country. Police training in this area is constant and permanent. It is... During all the administrations that the police has had, the matter of training, of intellectual strengthening of the police personnel, has always been a priority, and among those priorities, there is the matter of human rights. In the peace treaties, respect for human rights was instituted as a doctrine in the police, that is, unqualified respect for human rights. This is an extremely delicate matter because police forces have a constitutional function, which is the application of state coercion. The moment that they perform that function, it is sometimes, in certain places, called repression. It's something that will definitely be bothersome for a segment of society. If the police captures a person because he or she has committed an illicit act, his or her family will not be happy with police action because it will make them feel as if the freedom of that one citizen is being compromised. But that is the role that the police has to play to implement the orders of a judge, of a prosecutor. Or when a crime is evidently committed, the police officer has the right to make an arrest. That right to restrict the freedom of a person will immediately cause a sense of illness or resentment in a person close to the person affected, resentment towards the police institution, but that is part of the functions of the police, to practice the coercion that a state is legitimately obliged to practice within the rule of law.*

HUNT: If there is one element in the police that... that is, let's say, if there are some corrupt elements or... Like any security system, it has elements that are better than others, right? Every country has its own problems, but what is the disciplinary system used to deal with a police officer that has done something outside of the norm?

POSADA SÁNCHEZ: *In our police rules and regulations, we have different offenses that a person from the institution may perpetrate. There are very serious offenses, such as participating in acts of corruption. The sanction for that is destitution. There are serious offenses that can be something like coming into the institution showing signs of inebriation, and lesser offenses such as not showing up on time to... to the workplace. In other words, I'm giving you specific cases so that you have an idea of what the different offenses spelled out in our legislation mean. Corruption is a war we are constantly waging. It is very difficult to prove cases of corruption, because if a police officer asks someone for a certain amount of money to let that person go after having committed a crime, let's say, a transit violation, we need that person to come and internally report the incident so that we can investigate it and so that we can sanction the police officer. I remember something that's always said, that behind the corrupt person there is someone who corrupts him, and that's what's going on here. There are people that give money to the police officer so that he does his job, but in a much quicker manner. So those are the kinds of things that you find in the penal code. Police officers are not immune to falling into that, but the internal effort is made, in the evaluation, indicating whether it's satisfactory or not. It is among the very delicate things that we have internally, but El Salvador subscribes to the Convention Against Corruption, the Convención Contra la Corrupción (either Convención Interamericana Contra la Corrupción). We have been given diplomatic suggestions by the North American government that point to... that suggest the Convention should be applied. The government institutions in El Salvador react positively to everything related to the eradication of corruption. The police force is*

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*therefore not exempt of that fight against corruption. One of the phenomena that we have, and this will never amount to a justification because I don't want it to come across that way, is that the police institution has 20.000 people in it, and everyday it is susceptible to one of its members making the wrong decision, such as... such as committing any act of corruption. That is why we have to be very alert, internally, in terms of what this means, what this phenomenon, which is so harmful, means, so that we eradicate it along the way. The state department's reports reflect the fact that we are making an effort. We are classified in category number two, but even though it is evident that... that we suffer from that ailment, it is also evident that we are making a permanent effort to eradicate it. It is extremely difficult, but that matter, yes, definitely, it is one of the things that we pay most attention to.*

HUNT: In terms of police matters, do you have any recommendations on the kind of measures that can be adopted to reduce corruption or to improve police forces?

*POSADA SÁNCHEZ: Like all systems, this one can be perfected. This institutional system can be perfected. Over here, perhaps one of the things is that we don't have enough personnel in the units that have to fight this phenomenon, such as the internal affairs unit, which is the unit in charge of internally investigating police officers. This unit is very interesting because you have permanent prosecutors there. It is one of the few sections in the police where we have prosecutors so that they can issue arrest warrants based on evidence gathered against a police officer at a given moment. But the needs of... of the Salvadorian people, given how high the violence indexes are, force us to send the majority of police officers to look after public safety, and that makes it so that internal needs are not met with... with the number of elements needed. The... The unit of internal affairs, even though it works at a national level, may, perhaps, deserve more personnel, and the personnel, again, has to be retrained in a very especial way in order for them to perform their job in the best possible way.*

HUNT: The reduction of brutality is a very important part of police reforms that are conducted after an armed conflict. What options did you consider towards that when the public safety system was being reformed and especially when the national police was being built?

*POSADA SÁNCHEZ: Brutality, that's the word you used. Well, I was telling you a moment ago that a police force practices the function of coercion. It violates rights from the perspective of the person that is going to be detained. I've been present when a thug is being detained and he says: "Why are you infringing on my right to move about freely when I haven't done what you said I did?" And what happens when the person gets into that frame of mind? He does not want to accept that he's being... that his right to free movement is being infringed upon, and if he does not allow for his rights to be read to him and for him to be arrested, that will result in the need to use a bit of force in order to be able to complete the police function. Those boundaries are the ones that are conflictive for the police. What kind of brutality can the... the... the police institution use? I remember that the Office for Human Rights (Procuraduría de Derechos Humanos) previously accused the police of practicing torture. To me, those are the kind of brutal methods that can be attributed to any police institution. But the thing is that, and I'll say it again, that I'm not looking to justify with my words, in any way, what happens. The Office of Human Rights, back in 2003, 2004, accused the police of having three cases of torture, and being that there were cases of torture, it could be interpreted as the police institution implementing a policy of using torture methods. Three cases of torture, when the police in El Salvador has an average of 150.000 arrests of different sorts, from a drunken person causing a public disturbance and keeping the neighbors up until two in the morning, to homicide. In the spectrum of crimes you can go from a person being detained for causing a public disturbance or scandal to the very serious crime of taking someone's life. Within that spectrum, three cases occurred. All three were investigated and the people that committed those faults were sanctioned. But I remember that not too long ago the... the human rights deputy, and I don't know if you've already interviewed him, and I'm not saying this to influence you. When we had a meeting with him about two months ago, he told us: "The thing is that the police is no longer accused of torture. You are now being accused of applying a bit of force in the process of detaining people." It's not just the word choice; it's the*

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*figure that changed. The police goes to great lengths to prevent that kind of thing from happening, because in... in police brutality, as I can show you in those cases where... where... where tortured was mentioned... There can also be repression in public disturbances, when the public order maintenance unit has to go in to establish order at a given time. That kind of coercion can lead to... because I'm not saying that I recognize that. It can lead the person affected or the person with more of an interest to say that what happened there was a matter of brutal police methods. But, again, these are functions that any police force in the world has to complete. Maintaining order in a society runs the risk of any person interpreting that action has an abuse of authority or a case of police brutality.*

HUNT: You mentioned that you've had assistance and support from police groups from other countries. My question is whether there was an effort to strengthen the administrative skills of the host country personnel, and if this was the case, which measures were adopted?

*POSADA SÁNCHEZ: I mentioned to you the... I mentioned to you some of the police institutions that have come to provide assistance for us. The matter of human rights has been something constant in all of them. But when they come here... First, they were here to build the police. Remember that these were new elements. The guerrilla commanders came from the mountain or came from the urban guerrilla. They did not know about police matters. Perhaps they brought with them the good intention of having a police force that is not accused of the things that the past police forces were accused of, such as repression or the forced disappearance of people. And the personnel that came in from the armed forces came with the same kind of mindset. They came from fighting what they believed should not be taking place in our country: ideologies that, perhaps for them, were contrary to their values. And the percentage who came in from the general population to... and who were motivated to come and... to lend their efforts to this function of being a police officer. Those police officers who came from that time were the ones that helped build the public safety police, the transit police, the criminal investigations police. In other words, the way a police force operates anywhere in the world... To come and apply that to these subdivisions or specialized areas. With time, the assistance has shifted towards specialized assistance. I mentioned that we now have a tourism police as a new branch within the police institution. That is evidently a matter of prevention. There, right now, two weeks ago, we had police officers from Argentina come here to train our personnel in those matters, in tourism. We have the Japan police working very hard in matters related to community police. In other words, this will no longer be a security police or a proximity police. It will not be a... Community police means being close to the citizen. This kind of specialized assistance is what we in the police are currently receiving at the moment.*

HUNT: In the beginning, as you explained to me, the police corps came partly from the army, another part from the... from the guerrilla, and another part from the civilian population. Did you adopt a program or a measure to lift the morale of the forces or to develop a sense of solidarity within the team?

*POSADA SÁNCHEZ: At the time, I did not belong to the police institution, but I can talk about what I see reflected in the behavior of... of the police officers who came from those sectors. I feel that between them there is already a sense of solidarity. I feel that the ideological aspects from the time that they were younger... because I want to tell you that the bulk of officers ranges from forty, forty five years old at the superior level. That is to say, these are people that are in a state of maturity ... Perhaps this is a stage where they can contribute a lot more than when they were young. Now, it is not the same as when they were in the army, when they were twenty-year old second lieutenants, after fifteen years of being... of... of being a police officer. The constitution of El Salvador strictly prohibits the members of the armed forces and of the Policía Nacional Civil to participate in political activities of any kind. Neither party politics nor the promotion of their ideological ideas. I can say that here, in the Salvadorian police, I don't hear... arguments of that nature. I feel like they do their professional work even though they have their... their ideology, their... their way of thinking. I think that when they vote, if they have any time, because on election day the police is lending its services to the citizenry that is voting... But any police officer*

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*can exercise his right to vote. He will... He will vote for the ideology of his liking as an obligation and as a right that is granted to him by the constitution. It is undeniable, then, that those who came in by way of the armed forces have a conservative, right-wing mentality, just like the gentlemen who came from... from the guerrilla have a left-wing mentality. That happens over here, that cannot be denied, but they, in all their professionalism, do not make distinctions of that nature. They are dedicated to performing their duties as police officers.*

HUNT: Frequently, improving information systems or methods for gathering information is part of the efforts to improve the internal administration of a police system, right? Has a program or a measure been adopted to strengthen or improve the gathering of information within the national police?

POSADA SÁNCHEZ: *Gathering information?*

HUNT: In other words, collecting information, no? Sort of like having a body of information about police acts, or about crime, or what not.

POSADA SÁNCHEZ: *That's a very interesting question, I'll tell you, because not too long ago I was talking to some young officers who were telling me: "Look, we've only been around and the documentation..." Because for me, at a strictly personal level, the national police is the crown jewel of the peace treaties. It has... Some of them say that those are its twin sisters: the Academia Nacional de Seguridad Pública says it is the twin sister of the police and the Procuraduría de Derechos humanos also says it is the twin sister of the police. All three want to be at the same level, because all three are products of the peace treaties, but I feel, and not because I'm working here in this institution, that this one has the greatest responsibility, no? Because we've only spoken about the coercive part. The police also performs great work in matters of prevention. Aside from that, the... the... the police has a fifteen-year long history that could be easily stored in modern electronic archives, because the volume of... of documents that are generated is gigantic. I was just in Washington (Washington, D.C.), and I said: "Well, and where do North Americans keep all that information that they receive from the whole world?" It's enough to fill the United States with paper. And I was like, "Where is all that stored? In basements? Where is it stored?" And I thought about that in reference to this: "My country, being so small, how is it possible that we cannot have fifteen years of history archived in an organized manner?" We don't have it the way we would want to have it, because sometimes documents are sent to the general archives, but if a general archive is not run properly, the documents can be damaged by the weather, by the sun, by winter humidity that gradually affects documents. Even in they are stored using technological methods, they can be potentially damaged. And these officers would tell me that we should make an effort. Because of all this, we should work on this at the earliest to leave it as a legacy for future generations of Salvadorians.*

HUNT: In your opinion, what are the main obstacles that you have confronted in attempting to reform the internal administration? That is to say, what problems have you encountered in implementing measures or at least in handing out the advice you give to other people that are trying to overcome obstacles?

POSADA SÁNCHEZ: *Well, first of all, this is a disciplined institution. Here, decisions are heeded, they're obeyed, they're followed if they don't have an element of illegality to them. That's the only kind of exception, when a person who is given an order considers that the order breaks a law. He has the right to say at that very moment: "We are not going to apply this because it violates a certain law". From there on, other administrative decisions are executed. If an officer is told, "You're in Santana (Santana, El Salvador) and you're moving to San Salvador (San Salvador, El Salvador)," he obeys the order. Even if you tell him to go further into the interior of the country, he'll obey. But as I was telling you, these are institutions that can be perfected and there is a long way ahead in perfecting the institution. Here, perhaps, something that I detect is that work teams have to be more and more cohesive. Because the thoughts of one person are one thing and it's another thing to have the... the decision-making process be collective. In that*

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*sense, I think that it is one of the things that we have to work on more vigorously in the sense of being able to form work teams to make police work or the functions assigned to the police by law more efficient.*

HUNT: Another matter of special interest is that which can be done to improve responsibility towards the government and the community. A police service may respond well to the directions of its own administrators but not necessarily be doing what political leadership or the community considers important. Improving the responsibility towards the community and towards public policy organisms can include things like improving the ability to gather and analyze information about performance and results, improving the necessary responses to the... to the needs of the government and the community, as well as the creation of oversight mechanisms. Have you ever worked with local or national police forces to develop their external responsibility?

POSADA SÁNCHEZ: *Yes. I feel that it is one of the things we work on daily. I was telling you about the part that corresponds to the police in terms of state... of state coercion, and I also told you about how we also work on prevention. The proximity of a police officer to his community is something that is not seen in El Salvador and perhaps it is not the way it should be. The police officer has been a bit isolated from society and that leads to the feeling that the police officer is not part of society. Here, internally, we have divisions that are in charge of that work, for instance, to mention a few, the Department of Community Relations (Secretaría de Relaciones con la Comunidad), the Department of Youth and Family Services (División de Servicios Juveniles y Familia). These are units that we have to work with to get immersed in Salvadorian society. To date, this area is the one given most importance or most interest compared to what has been traditionally given to it. With this, again, I don't mean to say that it hasn't been done before, on the contrary, there have been efforts to achieve this. But sometimes, the institution's budget is not enough to cover these areas. Lately, the international community has been very interested in these things. That's why I was mentioning the Japanese police with its community police, and we want to have the police officer closer to the community by adapting the philosophy of the Japanese police community to the reality of our country, just like the Brazilian police force has been doing in the State of Sao Paulo. These are new developments, but what did we find out with these new developments? That the criminal rates plummet. I was surprised, for instance, when I saw in the news that Japan had 387 homicides in 2006 when they have 127 million people, and there's 5 million of us and we have more than 3.600 homicides in a year. That paradox, finding out the quid, the why of the situation that is taking place... Could it be that the police officer is not close to his community and can't be ready? Because those are prevention methods in that... in that kind of situation. With the United Nations, we are working on a project called Projóvenes (Proyecto Projóvenes de El Salvador) where, in the north area of the department of San Salvador and part of the department of La Libertad (Department of La Libertad, El Salvador), the police officer is getting closer to his community to work with the youth. That entails sending a... a police officer to schools, so that the police officer talks to the students, to the young people, to the Salvadorian teenagers, to tell them: "Look, I am your benefactor, I am your protector. You have me at your service 24 hours a day." That part of the philosophy that corresponds to the police is where I feel that we have to make a great effort in order to make it happen. We have the political will, but, again, financial resources are what limit this kind of activity. Out of the police's budget, 95 percent is set aside for salaries. We're left with 5 percent to cover all the other needs: rent, electricity, water, telephones, cell phones, gas, vehicle purchases, vehicle maintenance, technology purchases. The needs we have on account of not having appropriate budgets are incredible. It is often said that police forces are expensive anywhere in the world, and that is certainly true. Police forces cost a lot of money, but states must invest in their police forces. And here what we do is that we use the money we save from salaries to cover other needs we have. Again, police forces never... For me, they're like a black hole, that's what I call them, black holes. 500 students from the academy come in here and... they disappear, like that, and the other units are asking for more and more officers and the academy, whatever it... however many students it produces, we go through them immediately. And the same thing happens if we're given a million dollars for vehicle purchases. The vehicles are purchased, but the needs... There are always requests for more. "I want a vehicle to transport police officers and to be able to respond to 911*

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*emergencies". That is something that happens with the Salvadorian police, something that I... that I think is a problem for all police forces. In the Central American area, we have an association of police chiefs (Asociación de Jefes de Policía de Centroamérica), where the directors meet, and in the agenda for meetings you always have that kind of phenomenon: the precarious state of the budgets available to perform functions. But police duties must be completed within those precarious budgets.*

HUNT: Has there been an effort to create an information system that would help to oversee crime impact or the impact of other problems, a system for information different from the internal information that you have?

*POSADA SÁNCHEZ: Look, in El Salvador, for a time, around the beginning of the decade, in 2000, a lot of kidnappings took place, just like extortions are now in vogue as far as crimes go. At the time, it was people being kidnapped. An elite unit was created against organized crime to fight kidnappings. The results have been so successful that kidnapping in El Salvador has been reduced to a minimum. Sporadic cases take place, but when they happen, 100 percent of them have been solved since last year. That is to say, when these kinds of crimes happen, and the police is given the resources to... Further, when the anti-kidnapping unit was created, which is called the Elite Division Against Organized Crime (División Elite Contra el Crimen Organizado), we had the support of private companies. Private enterprise provided resources, vehicles for the detectives to move around and investigate. That is one example of how when you have external collaboration, the results of police work can be achieved with great ease. But the question is very broad. I feel that the crimes that are committed in a society change with time. In El Salvador, we are now overwhelmed and worried by homicides. But homicide rates... There are also other crimes that... that are also very violent and traumatizing: injuries. Homicide, to put it coldly, the economic expense after the crime has been committed is... It is reduced to something very small in economic terms. But a person that is injured, it has everything to do with all the hospital equipment. That costs us 15 percent according to the Ministry of Public Health. That includes people that have suffered some kind of lesion. Let's not even talk about rapes. Rapes that take place in our country, and I imagine that's the way things are everywhere in the world, they not only happen against women. They also happen against men and also against children or adolescents. That trauma that is produced, in order to take that person out of that situation that he or she is living, which is so dramatic, you need not just police resources. We have a psychology unit to care for people who have been victimized, in order not to victimize them once again.*

HUNT: One question, just to be clear. When a crime is reported to the police, do you have an internal system to gather statistics about crimes? Or how does that system work?

*POSADA SÁNCHEZ: In... Here, we're still working with written methods. When a person is a victim of a crime, because there are other crimes that I haven't mentioned to you, but, let's say, a person comes to any police station and reports a crime. The report is drawn and, depending on the crime being reported, a specialist is assigned to follow up on the investigation. That report that has been submitted will enter a national system. We have a system that works 24 hours a day. That unit receives reports that are coming in at any hour of the day at the national level. It could be 3 in the morning. At that time, here in the central headquarters, we are notified of a crime that took place in a town in the interior of the country. It could be a car theft, it could be a home burglary, it could be a kidnapping, it could be extortion. It could even be the theft of a cell phone. We process all the information and that helps us get our statistics. Statistics are also processed by the Center for Police Intelligence (Centro Inteligencia Policial, CIP). The Salvadorian police has made great strides in the fifteen years that it has been around. We still have a long way to go, but we have the units. The intelligence center gathers all the data. When we want to know how we're doing at a certain moment, these units, the Center for Police Intelligence, the Operations Center (Centro de Operaciones), they tell us how we're doing that day and that gives us a cumulative report of what happened during the month and during that year. If we want to know, for instance, how many homicides took place until now, at noon on... on*

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*July 2, the unit is telling us how many homicides have taken place anywhere in the country, how many took place on July 2, 2007, how many between July 1 and 2, and how many took place between July 1 and 2, 2007, aside from telling us how many we've had from January 1 until July 2, 2007, compared to how we're doing from January 1 to July 2, 2008. In the police, we implemented a Sarisa Plan, as it is called, which is a project that... that was elaborated by Rodrigo Ávila, a plan under which crimes with the highest impact have been reduced, beginning May 7 of last year, since it's been applied. In homicides, we have a decrease of over 15 percent. And so, it provides information about rapes, extortions, lesions, car theft, in sum, the whole range of crimes that are contemplated in the legal code, with substantial decrease. These are not satisfactory numbers by any means, but the efforts that the police makes to reduce these kinds of illicit activities are being reflected.*

HUNT: Well, we've spoken about your experience in several functions. Now, I'd like to talk about the greatest challenges at the time of conducting a reform in an institution. It is very rare to find that the personnel have all the necessary skills to complete their job effectively and to support reform efforts. Being as it is, do you have any advice...?

[Interruption]

HUNT: This is part number 2, interview on July 2 with Dr. José Humberto Posada Sánchez. You were telling us about the advice you would give to people trying to conduct reforms in institutions. Do you think that there are tasks that must simply be completed before others?

*POSADA SÁNCHEZ: There will always be some. There will always be functions, activities that must be done before others. In this kind of prioritizing process, I feel that it depends on the behavior of a society. In ours, I've recognized the fact that we have a high index of homicides, and that is a priority. It is unacceptable that the life of a human being is taken and that must be investigated promptly. With those considerations in mind, I'm going to try and answer your question. In order to investigate a homicide, you need the police officers from criminal investigations or detectives, as they can... as they may be called, detectives with a great degree of specialization, someone that knows all the investigation techniques, so that the result of the work is highly efficient and so that the truth can be found in cases where a serious crime like homicide took place. By saying that, I hope to show that specialization in different areas of police work must serve to highly and efficiently train the human resource that sought to serve society as a police officer. And that training must be permanent, constant, because not one crime is the same as another. We... In the police, we have learned, because... because that's what doctrine dictates, and this is a great truth, that no crime scene is the same, that if one person enters a crime scene and an object that may have the fingerprints or may have been left a certain way by the person, and someone moves it and believes he or she left it in the same position, that's impossible. So, from the very crime scene, we have to train our police officers to... according to the specialist that enter the crime scene. It can be the photographer, the police photographer that will take pictures of all that has taken place according to how he visualizes it, the way he scans the scene of the crime, whether he will be begin from the north side to the south side, from east to west, how he's going to grid it, what he is looking for in each place. That kind of activity has to be more and more specialized in order for the truth to be found, because in El Salvador, for instance, one of the things we have now is that crime investigations depend largely on the testimonial accounts of people who could have seen or heard something that leads the prosecutor and the judge, that leads the prosecutor to ask the judge to act against a certain person now that he has enough elements to conduct a trial and so that the judge, with those elements in hand, with the enforcement of the law and with his objective criteria, so that the judge can condemn or acquit the person accused. We depart from testimonial accounts. It's something related to the fact that we don't have the resources to conduct scientific tests. We have a laboratory for scientific tests, but its resources are very minimal due to budget limitations. The international community is helping. We have implemented a system of ballistic control with modern technology since last year and the fingerprint system, which we don't have yet, it's in the process of being acquired thanks to the support of the U.S. government and the Japanese government, their support towards the*

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*acquisition of a system called AFIS (Automatic Fingerprint Identification System), which is the fingerprint system. And also DNA tests. Anyway, the whole range of crimes that could have been committed and that needs the breadth of scientific tests, that is one of the parts that the Salvadorian police still does not have to a satisfactory degree.*

HUNT: When speaking about reform at the institutional level, what kind of allies from other organizations, institutions, or from the political sphere, and also from the community, are essential for success?

*POSADA SÁNCHEZ: I think that, and I say this from experience, in the peace treaties a consensus was reached, because the parts that fought on ideological grounds in the battlefield, they can understand each other using reason. There are very clear examples of how whenever we have gone, for instance, to the legislative assembly to talk to congressmen from different ideologies, when they are presented with the virtues of a project or of a law reform, they have all supported it. The one very clear example is the promotion of chief inspectors. The special decree to facilitate the promotion of these police officers had the support of all the political fractions in the assembly.*

*It's a pleasure, then, to see how when a project can be sold and when it's well received, we can count on political support. The assembly, congress, is eminently political. That example that I'm giving you is very revealing in terms of what takes place. Now, with the prosecutor's office, in El Salvador the thing is that the police is a collaborator in the administration of justice. The prosecutor's office is the one that leads the functional direction of crimes, by constitutional decree. The prosecutors are the ones that have to tell the police officer what he has to do after a crime has been committed. The prosecutor must have enough ability to be a prosecutor. There have been ups and downs these past fifteen years. There have been prosecutors with whom there's been tremendous harmony in terms of work relations, of collaboration, and with others there's been a kind of distance. In El Salvador, we have a school of judicial training. It was created to train judges, prosecutors, and police officers, public defenders, even lawyers. There was one prosecutor who told me that... that he was not going to send his prosecutors to the school for judicial training, and he didn't send them during his term, which was three years long. What consequences did this have? The prosecutor did not acquire the knowledge that other professionals in judicial matters acquired. That kind of thing should not happen, but it has happened. The fact is that there must be a permanent desire and will to get everyone to attend the school, so that later, everyone completes the functions assigned to them within their respective field of law enforcement. I give you these two examples, the legislative assembly, which has supported us with all its political fractions when a project is taken to them, and I've given you the example of times when prosecutors have a different vision in their mind, and that leads to delays in strengthening the rule of law. With the Office of Human Rights, I've mentioned that at a certain point they accused us even of using torture methods, and the... the current prosecutor says: "No, you are being accused of abuse in the methods of application of your functions." That is to say, the terms of what was happening varied sharply. That... That gave us ground to affirm that if we talk amongst all of us, things can improve. There is an appreciation... Look, with the Universidad José Simón Cañas (Universidad Centroamericana "José Simeón Cañas"), for instance, there have been disagreements and they end up in the media. But, what happens? The Universidad José Simón Cañas has a human rights institute. That human rights institute has trained our elements. We have personnel in the human rights unit who have graduated with certificates in human rights, the result of having attended that university to be trained in human rights. If that kind of thing that has happened and that has been demonstrated to yield good results was implemented at the national level, I think that it would be a different story right now, because anyone who knows about human rights must share the knowledge with everyone else. The prosecutor must tell the police officer what he has to do. The judge, he's fundamental, he has the power to tell the prosecutor: "Look into this, I want more substantial elements for the trial." That is to say, if we managed to get over the distrust in El Salvador, distrust that sometimes does not really exist except in people's heads, the rule of law would be the great beneficiary as well as Salvadorian society, because we would be consolidating our rule*

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*of law and respect for human rights, which is one of the functions we are all committed to... to perform.*

HUNT: During the time that you have worked in the construction of police services, have you or anyone else been prevented from implementing an initiative due to the inability of other government elements or due to lack of cooperation from the community?

*POSADA SÁNCHEZ: Look, maybe not so much prevent, but work has been slowed down and made more difficult. I'll give you an example: police attaches. Central American police forces want to have a police attaché in police forces in other countries. The presidents reached a decision to create them, but that was three years ago, and in three years, the police officers meet and talk about the matter and it is once again placed in the agenda and it is not implemented. In El Salvador, until last week, the agreement with the Department of Public Safety (Ministerio de Seguridad Pública) and the El Salvador Chancellery (Cancillería de El Salvador) was signed, whereby police attaches are created. The police attaché will respond to the ambassador or the mission leader. He has diplomatic status to be in... in the country where he is sent to in that capacity. He has to have a salary proper to... to the level of representation assigned to him and proper to the post and proper to the society in which he is going to work. That is to say, I'm giving you a very trivial example of how things are delayed. It may not be due to lack of political will on the part of the higher-ranking officers, because we're technicians, we are not politicians. And they are the ones that will make the decisions. Creating the post of police attaché will affect the budget. If we're going to have Salvadorian police officers in other Latin American countries, that will cost us a million dollars. It's that simple. So, where's that money coming from? Now, for instance, we have a Nicaraguan police officer in the INTERPOL (International Criminal Police Organization). We would like to have... We have a Central American Institute of Higher Police Education (Instituto Centroamericano de Estudios Superiores de Policía), which is in the National Academy. There are no police officers from other Central American countries. And why aren't there any? Lack of budget. That's a huge barrier we have there. And the thing with... That's a matter of vulnerability. We are very conscious of the fact that states have priorities in terms of... of what they receive in taxes and how they will distribute it annually. We all want more money. The police would like more money, just like the health department wants more money for hospitals or... or just like the education department wants more money for schools or... or to raise teachers' wages or to bring in educational technology for... for the students, or just like the Department of Public Works (Ministerio de Obras Públicas) wants more money to build roads and bridges. All the departments ask to be the ones that have priority. Perhaps we can manage to continue getting more money and more resources.*

HUNT: How much time do we have left?

*POSADA SÁNCHEZ: Ten minutes.*

HUNT: Ten?

*POSADA SÁNCHEZ: Yes.*

HUNT: I had some questions about donors and your experience working with the United Nations, but I don't know if you'd like to talk about these matters briefly...

*POSADA SÁNCHEZ: Yes*

HUNT: Yes?

*POSADA SÁNCHEZ: Look, in terms of the donors, in El Salvador we have donors that have been more prominent than others. Japan is a country that plays a very important role. Spain, a great deal more. Spain, after they came to build the police institution, to draw up the organizational structure, to ensure that the institution was moving, the project was over... Spain*

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*has continued to support El Salvador and we train many police officers in the facilities of the Spanish Cooperation Agency (Agencia Española de Cooperación Internacional para el Desarrollo, AECID), which is in Antigua, Guatemala, or in Cartagena de Indias (Colombia). Constant and permanent personnel training, not in large numbers. The task of training people in large numbers falls on officers who come from Spain to the academy to impart specialization courses. Same thing with France. With the North American government, there has been assistance in terms of narcotics and... and in... now the FBI (Federal Bureau of Investigations), with the gang phenomenon. It wasn't until now that the U.S. government has taken great interest in and looked generously at the effort of the whole Central American region to elaborate a strategy of... regional security, which... At the end of... In mid... In mid May, the investment in this project was set at 957 million dollars. It is my understanding that the North American government will provide 220 million dollars: 60 in 2008, 80 in 2009, and 60 in 2010. They are going to try and commit resources to assist police institutions in Central America. It can be speedboats, helicopters, airplanes. It can be training in specialized areas, in the fight against drug activity and against organized crime. In those large categories and in training, the North American government is making make a very important investment at the moment, something which hadn't happened before. It was more like punctual assistance in specific areas of police work.*

HUNT: Sometimes, the relations within international organizations or between donor countries affect the ability of people like you to perform your functions well. Are there two or three mistakes that you often see in the way in which donor countries and international organizations like the United Nations handle the relations with the personnel or the policy of the host country?

*POSADA SÁNCHEZ: Look, I'd forgotten, the United Nations. The PNUD (United Nations Development Programme) has also helped us a lot in... in activating... And perhaps you're right, because if the one donating wants to have control over... over the investment made... With the United Nations we've had, for instance, a program in two municipalities, a program called Municipio Libre de Armas, and now we are implementing it in Santa Ana (El Salvador) under another name, Más vida, Menos Armas (Menos Armas, Más Vida).*

*It's... I get a bit lost in trying to answer your question because it depends on the program official from the United Nations or on the donating organization. It depends on the way he thinks those donations will be used. That interaction produces tension, because it's very well to have an audit and control over the investment, and it's another thing to want to say how things should be done. Because they should be done by the one who knows reality, his reality. The other one may have academic knowledge, but... but to conjugate both situations is the... that's what has to be, perhaps... that's what has to be done. However, it has been more than... more than acceptable. But I feel that first and foremost there is the ability to know how to communicate with the other person.*

HUNT: Well, Dr. Posada, thank you very much for your time and your dedication to this interview. Well, I think we're out of... I was going to ask you one more question, but...

*POSADA SÁNCHEZ: Ask it, if you'd like.*

HUNT: You can answer very briefly. If you had to write a manual for people who have to build police units in problematic contexts, what subjects do you consider to be the most important ones to be included in the manual?

*POSADA SÁNCHEZ: The human relation, not respect for human rights, but the human relation. The relationship in... between the police officer and the citizen. I feel, from what I've seen and heard and read in... in other countries, that that relationship between authority and its community, the citizens, is the one that has bore the greatest results. That's what we're gonna... work through, I think, in... in what is left of Francisco Rovira's administration, because he announced it on July 1, that we are going to work on community police. The manual must reflect that kind of... of activity, the authority approaching the citizen. In that sense, I feel like if that is the*

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*way forward and the philosophy of the manuals, the results are going to be more... more than positive in... for the benefit of society.*

HUNT: Great. Well, thank you very much.