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# USAID PROGRAM BRIEF: ANTICORRUPTION AND POLICE INTEGRITY

SECURITY SECTOR REFORM PROGRAM

MAY 2007

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## **DISCLAIMER**

The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.



# CONTENTS

- 1.0 INTRODUCTION ..... 1
- 1.1 DEMOCRATIC POLICING ..... 2
- 1.2 UNDERSTANDING POLICE CORRUPTION..... 2
- 1.3 MANIFESTATIONS OF POLICE CORRUPTION ..... 3
  - 1.3.1 Petty Individual Corruption ..... 4
  - 1.3.2 Bureaucratic Corruption ..... 4
  - 1.3.3 Criminal Corruption in the Police ..... 5
  - 1.3.4 Political Corruption in the Police..... 5
- 2.0 DEVELOPING EFFECTIVE POLICE ANTICORRUPTION PROGRAMS ..... 7
- 2.1 DEVELOPING STRATEGIES FOR ADDRESSING POLICE CORRUPTION ..... 7
  - 2.1.1 Strategies for Addressing Petty Corruption ..... 8
  - 2.1.2 Strategies for Addressing Bureaucratic Corruption..... 9
  - 2.1.3 Strategies for Addressing Criminal Corruption ..... 10
  - 2.1.4 Strategies for Addressing Political Policing ..... 11
- 2.2 PROGRAMMING GUIDELINES ..... 12
  - 2.2.1 Take the Long Road ..... 12
  - 2.2.2 Address the Problem Systemically ..... 12
  - 2.2.3 Focus on Democratic Policing..... 13
  - 2.2.4 Build Public Support..... 13
  - 2.2.5 Counter Police Resistance ..... 13
  - 2.2.6 Recognize the Limits of Community Policing ..... 14
  - 2.2.7 Measure Progress ..... 14
  - 2.2.8 Align Donor Assistance..... 14
- 2.3 TOOLS FOR ADDRESSING POLICE CORRUPTION ..... 15
  - 2.3.1 Laws and Standards..... 15
  - 2.3.2 Transparency ..... 15
  - 2.3.3 External Oversight..... 15
  - 2.3.4 Internal Accountability..... 16
  - 2.3.5 Pay and Conditions of Service..... 16

<b>3.0 CONCLUSION .....</b>	<b>17</b>
<b>APPENDIX A: Sources of Information for Assessments .....</b>	<b>18</b>
<b>ENDNOTES .....</b>	<b>21</b>
<b>SELECTED BIBLIOGRAPHY .....</b>	<b>25</b>

# 1.0 INTRODUCTION

Fighting corruption has emerged as an important U.S. foreign policy objective. The U.S. National Security Strategy identifies corruption, poverty, and weak institutions as factors that can make states vulnerable to terrorist and criminal networks. Corruption damages international development and poverty alleviation by limiting economic growth, reducing social cohesion, skewing public investments, and weakening the rule of law.

USAID seeks to remove opportunities and incentives for corruption with programs that strengthen judiciaries, legislatures and oversight bodies, independent media, and civil society. Strategic directions in USAID’s anticorruption strategy focus on (1) confronting both administrative and grand corruption; (2) deploying agency resources strategically to fight corruption; (3) incorporating anticorruption goals and activities across agency work; and (4) building USAID’s anticorruption knowledge.<sup>1</sup> Central components of anticorruption initiatives include public sector reform and deregulation, support for oversight and watchdog activities, and public education to increase citizen awareness and opposition to corruption.

USAID has also played a central role in promoting the rule of law through assistance to the justice sector. The Agency is now authorized to provide “community-based police assistance” to enhance the effectiveness and accountability of civilian police authorities on a worldwide basis.<sup>2</sup> This new mandate reflects a growing awareness that secure environments, free from the ravages of war, organized crime, and widespread public disturbances, are essential to safeguard development objectives.<sup>3</sup> As donors undertake police assistance, a new concept of “democratic policing” has emerged reflecting an international consensus about basic values of policing in a democracy.<sup>4</sup>

For those who work in the promotion of democracy and governance, the issue of fighting police corruption is essential. If basic human rights are to be protected and people are to live in safe and secure communities, the policing function must serve—and be seen as serving—the needs of the people. When those sworn to uphold the law engage in corruption themselves, it saps citizen confidence in democratic institutions—and could foster cynicism toward the notion of democracy itself.

That said, police corruption is nearly always a function of larger systemic problems caused by the lack of overall transparency, the absence of checks and balances, weak rule of law and fragile institutions. This program brief is designed to “unpack” police corruption contextually, and to identify specific concerns that—in light of the societal role and special powers of the police—should be considered when developing programmatic responses. Seldom is the case where a stand-alone police corruption program is advisable. The most successful programs will be comprehensive and employ multiple strategies.

Despite widespread public perceptions that police corruption is rampant, addressing it remains a sensitive subject for government, police, and donors, especially because there is no easy solution.

Community-based policing is an approach to policing based on the concept that crime can be most effectively addressed through a partnership between the police and the community they serve. When put into practice, this approach is generally characterized by consultation between police and their communities; adaptation of police strategies to the requirements of particular communities or localities; mobilization of the public to work with the police to prevent crime; and the adoption of a mutual problem-solving methodology as the fundamental strategy of policing.

*USAID Policy Guidance, December 2005,  
PD-ACG-022*

Programmatic responses must take these sensitivities into account. This paper describes the phenomenon, identifies emerging lessons, and recommends program approaches with the caveat that as USAID develops and expands its rule of law, security sector, and anticorruption programs, much is still to be learned about curbing police corruption and building up police integrity.

## 1.1 DEMOCRATIC POLICING

The mission of the police in democracy is to protect people and property; to prevent, detect, and investigate crime; to maintain public order; and to support democratic political life. Democratic police undertake these tasks without fear or favor, but uphold the rule of law and perform their duties with the consent and support of the public and the institutions of democratic government. Democratic policing creates a “double demand” on police by “requiring that police adhere to high standards of conduct while also providing high standards of service.”<sup>5</sup>

Democratic policing can be central to the success of broader development approaches aimed at promoting democratic governance, rule of law, and human rights. The role of the police in protecting citizens and property is also critical for promoting a positive enabling environment for economic growth, including commercial activity, investment, and trade.

Assistance to democratic policing should be approached as a component of holistic programs aimed at promoting these broader objectives, with links to the overall justice and security sectors. USAID’s Policy Guidance for Assistance to Civilian Policing provides further details on goals, guidelines, and requirements for supporting democratic police.

### Basic Precepts of Democratic Policing

Democratic police uphold the law; they are accountable to democratic oversight institutions and to the communities they serve; they are transparent in their activities; they are representative of the community they serve; they give highest operational priority to protecting the safety and rights of individuals and to protecting human rights; they treat their personnel decently, and seek to build professional skills and conditions of service that support efficient and respectful service delivery to the public.

## 1.2 UNDERSTANDING POLICE CORRUPTION

Corruption is defined as the exercise of public power for private gain.<sup>6</sup> Police corruption generally occurs at two levels: operationally on the street or back in the office behind the scenes. Officers working alone or

There are many linkages between corruption and human rights abuse. In some cases, the refusal to pay off a police officer can have direct and even lethal consequences. During the month of May 2005, four riots erupted in Nigeria following police murders of unarmed civilians. In several cases, people were reportedly killed because they refused to pay a bribe. In Enugu, hundreds of truck drivers blocked a major highway after a colleague was killed by police when he refused to pay a bribe of 20 naira (15 US cents). “*Abusers not protectors – how Nigerians view their police force.*”

*Irinnews.org, UN Office for the Coordination of Humanitarian Affairs, Lagos, 24 May 2005*

in pairs—out of sight of supervisors—face a constant stream of opportunities for corruption. This may range from petty corruption and small-scale bribery to collusion with criminals in accepting kick-backs for “looking the other way,” in extorting regular pay-offs, or even in taking direct part in criminal activities. In order to carry out their duties, police are endowed by law with extraordinary powers, most notably the use of coercion and force, including lethal force. Police can stop, question, and search; issue citations and fines; arrest people; and may use force where circumstances warrant.<sup>7</sup>



Furthermore, police have great discretion to exercise these powers. Whereas backroom corruption takes place behind closed doors, street forms frequently involve large numbers of officers in direct contact with large numbers of citizens, and often shape public perceptions of police corruption.

In the backroom, corruption involves irregular practices in internal processes such as contracting and purchasing, skimming off institutional benefits, payments for appointments and transfers, and negligence in internal discipline and investigations. This form of corruption frequently involves supervisors, mid- and senior-level officers, or those in positions with command authority and access to privileged information. It can involve very large transactions.

Many studies of police corruption emerge from advanced industrialized nations and include two further categories: human rights abuse and “noble cause corruption” whereby an officer will use illegal means to produce a positive law enforcement outcome (sometimes called “Dirty Harry syndrome”).<sup>8</sup>

Although this paper does not specifically address police abuse of human rights, important linkages between corruption and abuse exist, including the use or threat of abuse to extort bribes. Both human rights abuse and corruption are permitted and supported through systems of impunity.

### 1.3 MANIFESTATIONS OF POLICE CORRUPTION

The array of police corruption is more easily understood in terms of the motives, ends and the scale of corruption. Table 1 provides examples of types of corrupt behaviors (petty individual, bureaucratic, criminal, and political), each of which includes behaviors that are both operational and bureaucratic.

**TABLE 1: TYPES AND EXAMPLES OF CORRUPT BEHAVIORS**

<b>Petty Individual Corruption</b>	<b>Bureaucratic Corruption</b>	<b>Criminal Corruption</b>	<b>Political Corruption</b>
<ul style="list-style-type: none"> <li>• Minor bribes from ordinary civilians (traffic police in particular)</li> <li>• Gifts and free services</li> <li>• Selling information such as criminal files</li> <li>• “Losing” court dockets, evidence, etc.</li> <li>• Theft while searching</li> <li>• Keeping seized contraband</li> <li>• Helping prisoners escape</li> <li>• Use of police resources for personal matters (police vehicles used to run family errands; hiring out police weapons to criminals, etc.)</li> </ul>	<ul style="list-style-type: none"> <li>• Contracting and purchasing kickbacks, sweetheart deals, etc.</li> <li>• Theft of assets and police resources including salaries, benefits systems, lower ranks pay, etc.</li> <li>• Selling information such as criminal files</li> <li>• “Losing” court dockets, criminal records, evidence, etc.</li> <li>• Irregular and unlawful issuing of gun licenses and other permits</li> <li>• Undermining internal investigations and discipline</li> <li>• Bribes and kickbacks required for recruitment, graduation from training, assignments, and promotions</li> </ul>	<ul style="list-style-type: none"> <li>• Bribes or kickbacks from known criminals</li> <li>• Extorting regular pay-offs from criminal groups / gangs, etc.</li> <li>• Providing support for criminal activities with equipment, information, cover-ups, etc.</li> <li>• Direct participation in crime and organized crime (drug trafficking; kidnapping rings; “arrest-for-ransom”; “social cleansing”)</li> <li>• Theft of seized contraband</li> <li>• Protection of illegal economic activities (resource extraction)</li> </ul>	<ul style="list-style-type: none"> <li>• Manipulating criminal investigations</li> <li>• Initiating false investigations</li> <li>• Providing confidential information to politicians</li> <li>• Suppressing freedom of speech and association (public demonstrations, strikes and other union activities, etc.)</li> <li>• Carrying out or covering up political killings</li> <li>• Suppressing political dissent / freedom of information / legitimate political party activities</li> <li>• Leaking information to guerrillas and other illegal armed groups</li> </ul>

A number of behaviors enter into more than one column, reflecting the wide variety in level of gain, means and actors involved, and beneficiaries of police corruption.

### 1.3.1 Petty Individual Corruption

Probably the archetypal police corruption is bribery of traffic police. It is notorious in many countries that when an officer stops a driver, the driver will place money in the documentation handed to the officer, or start the conversation by asking “what can we do about this?” The Nigerian “dash” or Mexican “mordida” (little bite) becomes an assumed transaction cost of almost every encounter with the police. In Ghana, a survey found that 92 percent of respondents admitted to bribing the police.<sup>9</sup> In Uganda, 63 percent of contacts with police result in bribes.<sup>10</sup> Specific dynamics may vary; for example, there is some evidence in Eastern Europe and Russia that bribes are routinely sought during vehicle stops, but not identity checks of pedestrians.<sup>11</sup>

Other common forms of petty bribery include extorting regular payments from market vendors, charging fees for services that should be free, and arresting people on flimsy pretenses in order to extract bribes in exchange for their release.

In the case of petty corruption in particular, the public role should be kept in mind. In encounters with police, it may be the members of the public who initiate the transaction. There are many countries where the culture of corruption is so ingrained that the officer has no need to ask; the bribe is assumed or simply handed over to the traffic officer with the license and registration.

There are less negative manifestations of fee-for-service policing. In parts of Africa, for example, it is not uncommon for police to be called in to help mediate local disputes and be given payment for their services. While this could be viewed as an illicit payment, it is accepted practice in certain settings.

The costs of petty corruption are significant. While each transaction may be relatively minor, petty

#### **The Cost of Business as Normal in Russia**

Russian experts estimate that nearly half of the profits of crime groups are spent on bribing state officials, including the police. One survey of businessmen found that 96 percent admitted to giving bribes, a quarter of which went to the police. Another study found the police taking 28.2 percent of all bribes. Traffic police are notoriously corrupt; with a third of respondents in another survey admitting bribing officers to overlook traffic violations; 12 percent giving bribes to pass their driving test, and 11 percent paying to pass their vehicle inspection.

*Yelyn and Holist*

In Peru, in the context of a major police reform, the Ministry of the Interior launched a campaign to address public collusion in bribery to balance and contextualize the focus on the police role. The “Respect the Police” campaign involved Internal Affairs officers with hidden cameras, accompanied by a prosecutor video taping citizens offering the police bribes. The initiative was widely publicized, with video clips showing citizens of both sexes and all social strata attempting to bribe police shown on national TV. The strategy was to demonstrate corruption as a pervasive culture across all social sectors, and one that every Peruvian should take responsibility to address.

*Costa and Neild*

bribery takes place in the course of routine encounters between the police and the public, and generates public perceptions of a rotten institution. Studies have also found that small acts of corruption act as a gateway to repeated and more serious corruption. Officers reportedly see corruption initiated by third parties as less serious than officer-initiated corruption—even when the external actor is a criminal.<sup>12</sup>

### 1.3.2 Bureaucratic Corruption

Many police forces are very large, with hundreds of thousands of employees and extensive assets. One manifestation is the outright theft by senior officers of police resources such as benefits funds,

or the manipulation of tenders for kickbacks. Bureaucratic corruption can rob the police of major sums with severe consequences for operational capacity. In Peru, US\$30 million was found to be missing from the police pension fund. In April 2005, the former Inspector General of Police of Nigeria, Tafa Balogun, was tried on more than 90 counts of stealing public funds worth more than US\$98 million.<sup>13</sup>

In some cases, almost every internal transaction from recruitment to promotions and assignments requires a bribe or kick-back to senior officers. In this case, the policing culture resembles an organized crime syndicate more than a professional public service.

### 1.3.3 Criminal Corruption in the Police

In a general sense, all corruption is criminal. However, direct involvement by police in both organized and common crime, or simply building their own crime enterprises, is one of the most disturbing perversions of policing—turning protectors into perpetrators. Police crime can take place on a small or

In Mexico, members of a Mexican military special forces unit (the GAFE) were recruited by a Nuevo Laredo drug cartel. Known as the *Zetas*, they corrupted the local police, converting them into spies, protectors, and enforcers. The municipal police under their control kidnap members of rival gangs and hand them over to the *Zetas* for ransom or to be tortured to reveal the rival cartel's operations. The *Zetas* became involved in extortion and kidnapping as a lucrative side business. In 2005, several members of the *Zetas* were captured and a video emerged of their interrogation by individuals who are not visible in the film. They describe links to high-ranking Mexican law enforcement and detail methods of capturing, torturing, and killing rival traffickers, as well as recruiting hit-men from police and military forces.

*WOLA, State of Siege, Special Report, June 2006*

large scale. It may be an established and widespread practice, or the purview of a clique of officers. Special units focused on vice and narcotics are particularly vulnerable.

A common form of criminal collusion is the collection of kick-backs from gangs, or extortion of payments from criminals. In some cases, police will demand a percentage of the “take” whenever a “job” is carried out on their turf. In others, police receive payment for services rendered—for example, leaking information to organized crime cartels on upcoming investigations and raids. The threat of violence and retribution often underlies these transactions. Excessive police demands can backfire, and cases of targeted killings of officers have been documented in different countries. In the case of drug traffickers, some cartels aggressively recruit officers and those who resist may pay with their lives.

In other cases, the problem is on a smaller scale, but may be very widespread. In Nairobi, Kenya, 30 percent of all crimes are committed by the

police according to a 2002 survey.<sup>14</sup> In September 2006, the Inspector General of the Nigerian police force barred officers from taking home their officially assigned arms and ammunition. This followed an increase in opportunistic crimes, and charges against officers for conniving with armed robbers, selling police weapons and ammunition for use in robberies.<sup>15</sup> Cases of officers “renting” out their weapons and uniforms have also been documented elsewhere (including to guerrilla forces fighting the government).

### 1.3.4 Political Corruption in the Police

The political advantages of direct control of policing underlie the many examples of politically controlled police across the globe. Politicians may interfere with the initiation or progress of specific criminal investigations; direct police to allow, ban, or break up public demonstrations with violence according to

their political stripe; or bypass a range of laws and regulations through “fixing” permits, citations, and the like favorably for friends and political allies. A large number of politicized police stem directly from the colonial policing model. Colonial police forces were explicitly designed to protect and support the regime, frequently through a range of social control mechanisms profoundly at odds with the values of democratic policing. Police in countries across Africa and Asia continue to operate under colonial police laws that provide structural executive control and inadequate accountability mechanisms for policing.

In a number of countries, excessive presidential authority and partisan policing practices invite political police corruption. In Uganda, the president must consult Parliament in appointing senior officers, but he can remove appointees at any time. Moreover, although he is bound to seek advice from the Police Authority for appointing department heads, he himself appoints Police Authority leaders, thus compromising objectivity. Tanzania is marked by similar conflicts of interest: the president appoints the IG, but is bound neither by guidelines nor selection criteria. He can constitute or abolish any office in the police from the rank of Senior Assistant Commissioner and above. In states of emergency, he can step in as operational head of the police and displace the IG entirely. Political policing can also fuel ethnic tensions as it did in India when police abetted anti-Sikh riots in 1984 and anti-Muslim violence in Gujarat in 2002.<sup>16</sup> India’s police law, which dates to 1861, stipulates that policing is primarily a function at the state level, and the power over assignments is used to ensure political compliance.

# 2.0 DEVELOPING EFFECTIVE POLICE ANTICORRUPTION PROGRAMS

Developing programs that address corruption in the police include the same steps as other USAID democracy and governance programs: assessment, strategy formulation, program design, implementation, and monitoring and evaluation. However, there are a number of considerations that USAID staff should keep in mind when designing programs to address corruption within the police. The following pages offer strategies, guidelines, and tools that may inform USAID's activities.

## 2.1 DEVELOPING STRATEGIES FOR ADDRESSING POLICE CORRUPTION

Many experts caution that tackling police corruption requires support from both political and senior police leaders.<sup>17</sup> Absent such support, a minimal condition for any reform effort is tolerance or permission from political and police leaders. Where political policing is the order of the day and political sectors oppose rather than support or tolerate reforms, external strategies to buffer the police from political influence will likely be a necessary precursor to any direct engagement with institutional police reform.

Sequencing imperatives also arise for settings in which criminal corruption is extensive. All anti-corruption efforts aim to limit impunity and increase accountability, and arguably no type of corruption relies more on guarantees of impunity and will fight harder to preserve it than criminal police. In these circumstances, an early assault on criminal officers and networks will likely be required, both to enable broader institutional reforms and to reassure public opinion that police criminality will not be tolerated.

Irrespective of the initial focus of anticorruption efforts, core strategies to address individual and bureaucratic corruption involve the introduction of professional standards of ethics, management, administration, and accountability across the institution. Without these bulwarks against corruption, misconduct is all too likely to reappear, even after important successes in achieving changes in law or major purges or successful criminal prosecutions. Even as practical and political considerations may require a sequenced approach, there is grave danger in declaring victory prematurely.

A dilemma confronts decision makers wanting to prioritize actions in police corruption programming. For example, actions to curb highly visible, petty individual bribe-seeking will always be a public priority, yet a response that does not also address the bureaucratic dimension may overlook the drivers of petty corruption, single out the weakest actors in the institution, and damage morale and service delivery even further. There is also little likelihood that reducing petty corruption will produce spillover effects in limiting bureaucratic corruption.

Greater justice and potentially greater efficiencies may be achieved by tackling bureaucratic corruption first, relying on trickle-down reductions of petty corruption in the short-term before engaging in more proactive campaigns against street bribery. Many, if not most, strategies to constrain and control bureaucratic corruption will increase police efficiency and accountability for service delivery as well as

for conduct. Police corruption always compromises police service delivery. The goal of police anti-corruption efforts is not only an honest police force, but one that is also more effective at tackling crime. Programs that do not reflect these conjoined objectives are likely to lose police and public support. However, these approaches can be obscure and relatively slow, and risk losing political and public support if transparent processes and information campaigns do not sufficiently make crackdowns on kickbacks and sweetheart deals highly visible.

Priority-setting and sequencing will be most effective within an overall policing reform strategic plan, which should identify and address cross-sectoral linkages in justice and security. While such an approach represents a front-end investment, the advantages of developing an overall strategic plan are several:

- Support identification and integration of local vision and priorities;
- Support effective donor coordination and cooperation;
- Help to plan priority-setting and sequencing;
- Can identify major inefficiencies and cost-savings that can provide additional local resources for reforms; and
- Facilitate monitoring and evaluation.

### 2.1.1 Strategies for Addressing Petty Corruption

A number of approaches to addressing petty corruption are possible. One method might be to review and, if necessary, improve salaries and benefits. Wage increases present certain challenges. Politically, it can be hard to justify increasing the pay of police that are perceived by the public as endemically corrupt, though it will be easier in the context of a broad and well-publicized anticorruption effort. Many people are aware that police are grossly underpaid. Pay increases should focus in particular on the worst-paid lower ranks, and try to reduce undue wage differentials between senior and patrol officers. In the event that the national budget cannot support a wage increase, it may be possible at lower cost to address inadequate housing, medical benefits, insurance, and leave. Addressing these issues can provide an opportunity to review the career system, criteria, and processes for promotion, assignments, and rotations.

It is important to determine whether officers receive a living wage and are not obliged to seek additional income in order to feed their families. Do officers receive their wages? With what regularity? In the case of fee-for-service practices, are they a form of petty individual corruption or a reflection of resource shortfalls? It is not infrequent to find that station commanders appropriate the best, and sometimes only, working vehicle for their personal use, or have sworn officers act as personal chauffeurs while calls for service go unanswered.

In some cases, the law establishes fees for certain services carried out by police (it is common in many countries that residency permits and certain kinds of licenses are issued by police and a fee is charged), but lack of public awareness leads to these fees being perceived as corrupt charges. Clear notices in police stations prominently displayed announcing services with charges, fee amounts, and information such as

#### **The Conventional Wisdom on Police Salaries and Corruption**

Poor and erratic police pay can lead to corruption, and increasing police salaries is a common prescription for tackling the problem. Conventional wisdom views salaries as an important component of anticorruption strategies, but one that cannot be relied upon as a stand-alone policy for two reasons. First, the opportunities for police corruption are many and constant, and frequently carry little chance of being caught. Second, most organized crime groups, economic and political elites have sufficient resources to offer bribes that dwarf even the most generous police salary (and, in some cases, a credible threat of retribution in the case of refusal). Even though pay raises can provide a living wage, incentives that reward honest policing combined with deterrence through controls and punishments offer a more balanced approach with a greater chance for success.



“bail is free” are inexpensive ways to address these problems. Notices should also be posted, preferably at the entrance or outside the police station, with information on how to make a complaint.

A number of initiatives have attempted to address corruption by traffic police. In Sierra Leone, the traffic unit was simply abolished.<sup>18</sup> In Colombia and Peru, female officers were assigned to traffic duties, reportedly with some success in reducing complaints of bribery.<sup>19</sup> Elsewhere, anonymous tip lines and hidden cameras have worked. However, the relative success, replicability, and sustainability of these approaches in varied settings is yet unproven.

Effective complaint mechanisms and well-publicized tip lines can encourage citizens to report police corruption. As previously noted, it is essential that these be appropriately staffed and that complaints are followed up, including informing the complainant of progress. Internal disciplinary mechanisms should be reviewed and strengthened, and an external complaint board created if people are too mistrustful to take complaints to an internal affairs bureau. Complaint mechanisms must be publicly known and accessible, and the process must be transparent and timely, must inform the complainant of progress and decisions, and must respect the rights of police officers.<sup>20</sup>

Abuse of powers of arrest and detention can be impeded by improving recording systems. Arrest and detention records should include the arresting officer’s name, time, place and grounds for arrest, and have a case file number that can be tracked through the system. On release, the name of the authorizing authority and grounds for release should be noted. Instating lay visitor schemes to police holding cells may improve police treatment of detainees, allow detainees to request assistance, and support additional review and inspection of the records.

In the long term, good supervision by line supervisors committed to professional policing is one of the most effective controls of all forms of misconduct. Supervisors who monitor their officers’ behavior can identify problem officers and place them in positions that reduce opportunities and risks of misconduct.<sup>21</sup>

## 2.1.2 Strategies for Addressing Bureaucratic Corruption

Many forms of bureaucratic corruption require strengthening management and administrative systems, and building effective audit and inspections capacity. Reform could undertake a thorough audit of police resources and systems, which would create effective record-keeping and asset-tracking mechanisms, including routine compliance reviews. In Jamaica, a local bank loaned an experienced auditor to the police to assist in investigations and training. Additional approaches include introducing or improving external oversight of procurements (including hiring nongovernmental organizations to take part in review boards overseeing purchasing orders and contracts); improving employee record files to detect and eliminate ghost employees; or introducing and/or strengthening resource management systems. Drawing up clear job descriptions for each police assignment and making sure that officers have required qualifications can help to cut down on payment for promotions, assignment, and rotations.

Mexican criminologists believe that of the capital city’s force of some 110,000 officers, probably only 90,000 are on duty. Of the remaining 20,000, many are ghost employees, and some others receive paychecks, but never work. This, and other forms of systemic corruption in the police creates a pyramid scheme with major benefits for senior officers. Senior officers have every incentive to perpetuate the system, and to enjoy its benefits for as long as possible, particularly as there is no mandatory retirement age and police pensions are low.

*Author interviews in Mexico City, 2002-2003*

In cases where top police officials reap major benefits, it is important to hold accountable those with the greatest responsibility for perpetuating and/or tolerating the system. Criminal charges are an important

demonstration of intolerance of corruption. Sometimes criminal charges may not be possible; the hope of conviction may be too uncertain, either on evidentiary grounds or because of the weaknesses or corruption of the judiciary. Where criminal charges are not feasible, it is important to purge some top positions. In a number of cases, legislatures have provided temporary special powers to purge officers without following normal processes for dismissal, but have not pressed legal charges and have even allowed officers to keep their pensions.

### **Peru: Police Reform and Anticorruption**

In 2001, the Peruvian Interior Ministry created a multi-sectoral Commission for the Modernization of the Police. The Commission conducted a diagnostic including surveys and meetings with police and the public. The process collected data and provided information about the police reform. Internally, commanders and lower rank officers were interviewed separately with anonymity guarantees, which generated considerable information from lower ranks about rampant corruption in the pensions system, in gasoline procurement and distribution, and in the medical and housing benefits systems. Systemic corruption imbued a police culture that viewed personnel profit as a normal “perk.”

Reform strategies included creating an Internal Affairs Unit under the Minister with mixed police-civilian investigation teams; outsourcing and/or management reforms of institutional benefits systems; temporarily outsourcing police recruitment; improving financial management and audit systems; and creating external oversight of acquisitions. Additional initiatives improved pay and conditions of service, and sought to make the police more responsive to local communities. An information campaign created forums for discussion with the public and the police, generating strong public awareness and approval of the reform and a gradual increase in public confidence in the police.

Lower rank police supported the reform, but senior ranks with deeply vested interests in the corrupt status quo resisted the process. Top police commanders challenged the civilian leadership. The government’s political weakness led to a series of cabinet reshuffles; this, and political dependence on the police to control waves of social protest, encouraged the police to resist change and “sit out” the reform. Despite set-backs, the reform has had lasting impacts. Following 2006 elections, the new Interior Minister fired over 200 officers for corruption indicating not only that problems persist, but that there is some ongoing will to address them.

*Costa and Neild, 2005*

### **2.1.3 Strategies for Addressing Criminal Corruption**

Criminal corruption, particularly when widespread, is one of the most difficult forms of police corruption to address. The resources available to organized crime far outweigh those the state can provide to officers through salaries and benefits. Increasingly across the globe, criminals outgun and outrun the police.

In the case of criminal corruption, a two-pronged approach is essential: on the one hand, to identify, investigate, fire, and prosecute corrupt officers, particularly those in senior positions or leading criminal undertakings; and on the other, to create mechanisms that can impede, reduce, detect, and prosecute ongoing police crime. Confronting criminal corruption probably requires an upfront focus on punishment and criminal sanction. This may be a difficult undertaking, and may be impossible where there is political collusion. Where political will and government determination exist, public campaigns may bolster the



effort. To the degree that it is possible to generate a multi-party commitment to address police crime, this may also undermine police resistance or claims of political interference, and enhance the possibility that the initiative will be sustained.

It may also be advisable to constitute a special investigative capacity to investigate and prosecute serious police crimes. Investigations of this nature are likely to require the use of internal informants, criminal informants, wiretaps, surveillance, and other undercover investigative techniques. Local legal standards may limit the use of certain techniques. Histories of political espionage or the manipulation of intelligence may generate controversies and render findings prone to dispute. In any event, the use of undercover techniques will certainly provoke anger and resentment within the police.

In addition to addressing existing problems, it is essential to establish ongoing controls to prevent a resurgence of police criminality. If possible, the initial investigative process also should identify internal capacity in the police and resource needs to establish permanent accountability mechanisms. These mechanisms should include a code of ethics and a well-equipped internal disciplinary unit trained in specialized investigative techniques to conduct ongoing investigations. In addition, asset declarations may be introduced for senior officers or even the entire force.

#### **2.1.4 Strategies for Addressing Political Policing**

The use of the police force for political purposes is a particularly pernicious practice and any response calls for close analysis of the dynamics at play within the institution as well as larger political and societal dynamics. Donors must understand the system of political and economic incentives at work as they have become substitutes for the public service ethic. Again, external strategies are recommended in dealing with a deeply politicized police force. These may include strategies based on building public awareness and spotlighting of abuses in an effort to build citizen demand for change and the mobilization of political will to engage on the issue.

While governments can and should set policy directions for police, they should not interfere directly in police operations. Police should have operational independence, subject to full review after the fact. Legal standards and freedom of information laws should be clear on these points. Assistance projects could address the need for police and politicians to build cooperative relations or target media coverage of politically sensitive issues.<sup>22</sup>

Key remedies for partisan policing lie in the creating checks and balances and strengthening the external accountability of police. These include establishing multi-sectoral policy advisory bodies such as national police commissions; building or enhancing parliamentary and judiciary oversight capacity; improving police transparency through access to information; assuring that broad exemptions are not created for mundane security matters; and improving police capacity to produce reliable statistics and performance indicators.

Given the nature of the problem, political will at top levels of government will often be lacking. Barring a political transition or major scandal, the main strategy to address political policing will be external to the police and government. Projects could support independent research and public awareness through work with civil society to monitor, document, and denounce abuses of police powers for partisan ends. Projects also could support third country exchanges and generate ideas and policy proposals that can be brought to the table when political openings arise.

Many countries with histories of authoritarian rule, conflict, and/or militarized policing have only limited civilian expertise in public security issues. Policing studies is a relatively recent discipline, and developing countries continue to suffer from a lack of information. Nonetheless, research that can help

bridge gaps between civil society and police are likely to provide better information and more practical recommendations for change.

## 2.2 PROGRAMMING GUIDELINES

Regardless of the strategy, a number of lessons and guidelines should assist in the formulation of programs designed to reduce police corruption.

There are three prerequisites to a successful program to address police corruption. First, there must be sufficient political will on the part of senior government leaders and officials. In some cases, senior police leadership may itself be corrupt and require replacement before progress can be achieved. Additionally, new laws and regulations may need to be enacted to provide the tools to fight corruption. For these reasons, the commitment of senior government leaders to a sustained, long-term fight against police corruption is crucial to the success of any such effort.

Second, senior police officials must be receptive to change. In order for programs seeking to effect organizational reform to be successful, senior management must be committed to and take an active role in the development, marketing, and operation of such efforts. Law enforcement executives and their staff must fully embrace the move to a corruption-free environment or must be replaced with those who will do so without qualification or reservation.

Finally, there must be demonstrated willingness to commit appropriate resources to the fight against police corruption. In some cases, police corruption begins, and becomes entrenched, on the basis of claims of inadequate compensation for law enforcement personnel. While there is no excuse for illegal conduct, anticorruption programs can be enhanced through compensation and other anticorruption measures.

*International Criminal Investigative Training Assistance Program (ICITAP)*  
<http://www.usdoj.gov/criminal/icitap/officeProfessionalStandards.html>

### 2.2.1 Take the Long Road

There are no quick fixes to police corruption. Improving training or salaries alone, or pressing criminal charges against selected individuals, will not produce more than shallow and short-term results if programs do not also correct broader institutional weaknesses that permit, enable, or encourage corruption. International experts agree that policing reforms are long-term, even generational, efforts. While important results can be achieved in the short term, consolidating and sustaining those achievements over time remains a major challenge.

### 2.2.2 Address the Problem Systemically

Given constant opportunities for corruption in policing, it is important to take systemic and long-term approaches. Programs that address police corruption as part of a larger focus on good governance across all state institutions may face less resistance than programs that make the police feel singled out.

It is equally important to identify and address linkages across the criminal justice system as a whole. At the simplest level, when police believe that judges are “bought off,” they have little incentive to pursue a serious investigation and every reason to take the bribe themselves before the case reaches the courts. In

reality, a series of linkages exists in efforts to increase probity and professionalism across the criminal justice system.

Efforts to enhance judicial independence and improve access to justice should be aligned with policing reforms: projects addressing judicial independence could undertake parallel initiatives to improve the operational independence of the police. Both police corruption and the conduct and success rate of criminal prosecutions may be addressed by strengthened prosecutorial and judicial oversight of police investigations. Prosecutors and courts must hold the police criminally liable for acts of corruption. Projects that aim to improve the speed of trial processes through better case management could include systems to register and track detainees in police cells and help restrict abuse. Despite their potential efficiencies, these and other synergies between police and justice reform are too little explored.

### **2.2.3 Focus on Democratic Policing**

Within the police, reform strategies that emphasize accountability, transparency, and professional practices should produce overall gains in efficiency, as well as greater responsiveness to the communities they serve. Good democratic policing practices, such as improving standards, selection, training, and salaries, can contribute to improved conditions of service, capacity, professionalism, and morale. The introduction of performance indicators and well-defined job descriptions will support merit-based systems for assignments and promotions.

### **2.2.4 Build Public Support**

In settings characterized by weak or absent political will, building public awareness of the extent and dynamics of corruption and generating pressure for change may be essential first steps toward institutional reform. Strong demand-side pressure for performance enhancement is equally as important as institutionally focused initiatives. Ongoing public concern is especially necessary in the face of allegedly competing priorities, such as rising crime, which allow police to argue for increased powers rather than increased accountability.

A more informed public and policy debate would benefit from reliable data. Public perceptions of corruption tend to be very general, and police corruption is often viewed as endemic even where specific dynamics are, in fact, more limited. Widely shared misperceptions can feed accusations of corruption when police conduct legal actions such as levying fees for certain services and issuing on-the-spot fines. Research and information campaigns can provide insights into practices and problems and identify constructive solutions that reform advocates can use to keep the issue on the public agenda even when reform efforts may be stalled.

Nevertheless, caution should be exercised in building external strategies that focus exclusively on police corruption, particularly criminal corruption, but also politically biased policing. Civil society groups may be subjected to reprisals and even attacks in response to public revelations and criticisms. A risk analysis and careful consultation with potential civil society partners should be undertaken as part of the assessment and development of an external strategy on police corruption.

### **2.2.5 Counter Police Resistance**

Police have considerable capacity for resistance. Police are also keenly aware of the political impact that their action or inaction may have for a government, and can seek to temper official pressures by asserting the need for resources, powers, or political backing in order to deal effectively with social unrest,

demonstrations, and other public order issues. Political pressures that challenge deeply vested police interests may compete with a government's need for effective police action, particularly in highly visible public order policing. In these settings, the clear ability of the police—through act or omission—to produce negative political outcomes can result in a softening of government support for reform.

### **2.2.6 Recognize the Limits of Community Policing**

The introduction of community policing strategies does not necessarily address police corruption. Police may as easily become embroiled in local power structures as national ones, and with greater distance from accountability mechanisms that are too often located only in capitals and large cities. Local needs policing was implemented to positive effect in the context of a holistic police reform in Sierra Leone.<sup>23</sup> This contrasts, however, with less positive appraisals of the impact of community policing in Uganda and Kenya, where recent human rights reports argue that community policing should only be implemented once systemic problems in policing have been addressed.<sup>24</sup> These latter experiences suggest that clear national standards and accountability mechanisms should be in place before implementing community policing to avoid the risk of reinforcing undemocratic local authorities and power structures.

### **2.2.7 Measure Progress**

Case studies show that anticorruption reforms do not necessarily produce rapid short-term results or reductions in crime rates. Impact or performance assessment is an area of historic weakness in policing in general and in donor support for police reforms in particular. Commonly, performance indicators have tended to measure activity outputs rather than impacts.<sup>25</sup> Traditional policing assessments have tended to rely on reported crime rates and a series of activity indicators such as arrests and case clearance. The increasing use of surveys that track victimization rates and trust in police marks an important step forward. Police reform programs in Northern Ireland, South Africa, and elsewhere are also developing indicators that can assess progress across the range of values and practices—encompassing measures of both accountability and effectiveness—that characterize democratic policing.<sup>26</sup>

### **2.2.8 Align Donor Assistance and Donor Messages**

Police in any given setting often receive international assistance from more than one donor and sometimes from several agencies from the same country. Interagency and inter-donor cooperation is important to maximize efficiencies. A particular challenge arises when operational police assistance aimed at addressing transnational crime-fighting priorities has different strategies than programs focused on institutional development.

Post-conflict police reforms generate a particular set of challenges. The drive to build effective local security capacity that permits the draw-down of foreign troops may generate timetables and resource priorities that override investment in the creation of good management structures and practices. The short-term trade-off between operational capacity and accountability risks the emergence of corrupt and abusive practices in the new police without adequate accountability mechanisms.

For the USG and other donors, it is particularly important to coordinate assistance *and* the messages sent as part of ongoing policy dialog with host nation governments. Given the multiple interests pursued within and across governments, consistency remains a constant challenge.

## 2.3 TOOLS FOR ADDRESSING POLICE CORRUPTION

Specialized tools to address police corruption include special investigative commissions, anticorruption units, ethics codes, proactive integrity testing, and integrity training.<sup>27</sup> Most anticorruption strategies and mechanisms also constitute core elements of broader efforts to professionalize policing. Indeed, few donor programs target only police corruption; most rightly emphasize the need to address corruption in the context of the full range of issues underlying police ineffectiveness and impunity. Most of the tools and strategies below address police effectiveness and accountability.

### 2.3.1 Laws and Standards

It is important that national laws and institutional norms governing policing address issues of corruption explicitly, and make it clear that corruption cannot be tolerated. It is equally important that all officers are required to know and understand ethical codes and standards, including:

- Legal standards for democratic policing and anticorruption;
- Police codes of ethics; and
- Institutional operations manuals or instructions.

### 2.3.2 Transparency

Transparency is a basic element of good governance in all areas. In policing, as in other security arenas, many governments have overextended secrecy and confidentiality rules. While there are many important protections of privacy and personal data at issue in policing, particularly during criminal investigations, the general rule should be that information is publicly available and the withholding of information must be justified and clearly regulated. Tools to foster transparency include the following:

- Freedom of information laws;
- Mandatory and regular publication of police statistics and performance indicators;
- Protection for whistleblowers;
- Mechanisms to enhance police responsiveness and information provision to communities (forums, consultation committees, town hall meetings, information publication, etc.); and
- Independent research and regular victim surveys.

### 2.3.3 External Oversight

Police activity must be open to observation and regularly reported to outsiders. Police need to be accountable for their use of state resources—both fiscal resources and their use of their legal powers.<sup>28</sup> In principle, police should be held accountable through multiple channels to multiple audiences or constituencies. Oversight bodies should be judged on their integrity (thoroughness and fairness), their legitimacy (stakeholders' perceptions), and their impact on learning (meaningful feedback).<sup>29</sup> External accountability mechanisms may be state or non-state, specialized or general, and may include the following:

- Parliamentary oversight;
- Specialized oversight of policy and conduct—national police commissions/police service boards;
- Civilian review boards;
- Role of prosecutors and courts; and
- Civil society/media/community.

### 2.3.4 Internal Accountability

Police complaint mechanisms historically have required the person to take their complaint to the police themselves, who then investigate their own officer(s). The poor track record of these mechanisms and consequent loss of public trust led to the introduction and rapid growth of civilian review boards.<sup>30</sup> Studies find that civilian review alone does not solve the problem of police corruption. Internal and external accountability mechanisms are highly interdependent. Any police force that is serious about addressing misconduct must have effective internal disciplinary mechanisms that can detect, investigate, and punish wrongdoing.<sup>31</sup> Internal disciplinary mechanisms include the following:

- Disciplinary systems (inspectors general/internal affairs bureaus/offices of professional responsibility);
- Administrative controls (regular station and unit inspections/audits/asset management/professional personnel systems/chain of custody and case file management systems); and
- Personal financial asset declaration, which may be required of specified ranks. These should be reviewed and updated regularly, with periodic spot checks.

### 2.3.5 Pay and Conditions of Service

Internal disciplinary mechanisms alone also have limited effect in establishing a positive police culture. Broader systems of supervision and administration are basic to police probity and professionalism,<sup>32</sup> as are officers' basic working and living conditions.

- Provide a living wage—with regular and reliable salary payment;
- Provide basic benefits such as medical benefits, insurance in case of injury or death, and housing benefits;
- Remove incentives and restrict opportunities for corruption (record all interviews; plain clothes corruption patrols in vulnerable sites; cameras in cars; limit cash payments);
- Review hiring processes; require aptitude and background checks; instate a probationary period allowing for removal of unfit persons;<sup>33</sup> particularly in post-conflict settings, instate thorough vetting of all existing police and new recruits;<sup>34</sup>
- Create professional and merit-based career standards, including clear job descriptions for each position;
- Train officers in anticorruption law and police code of ethics, including explicit discussions of police professionalism, ethics, and corruption. However, training is generally not a stand-alone anticorruption measure. If training is not accompanied by additional measures to improve the prevention and punishment of corruption, it is most unlikely to change behavior;<sup>35</sup> and
- Personnel rotations should be limited in most cases.<sup>36</sup>

#### Police Salaries in Afghanistan

Reforms in the Afghan police are reducing rank inflation (excessive numbers of senior officers), and using the accrued savings to increase the salaries of rank-and-file officers. When complete, the process will remove 40 percent of the 15,001 senior officers. In order to assure that officers receive their salaries, all Afghan police are now receiving ID cards with personal data and payroll information electronically stored on them. The system is currently being piloted in one province. To be sure the individual officers are actually receiving their payments, international monitors are reviewing payroll until a more comprehensive electronic payment system becomes available. Once the electronic payment system is established nationwide, the electronic ID cards will allow systematic tracking of officers' locations and payments. In areas with banking facilities, the system can support direct deposit of the paycheck and automated withdrawal by the officer of his or her salary.

## 3.0 CONCLUSION

Completely eliminating corruption from policing is impossible, yet it is essential to build mechanisms that can detect and stem corruption, and support a culture of integrity in policing. The costs of police corruption are high. Police corruption undermines the public trust and its cooperation in crime prevention, detection, and investigation; it diverts resources and undermines operational capacity; it sustains organized crime and the victimization of vulnerable groups such as trafficked women and children, and refugees; and has been linked to support for subversive groups and terrorists.

Police can and should investigate corruption cases and enforce anticorruption laws, yet if they themselves are corrupt, government-wide anticorruption efforts may be profoundly undermined. When police build corrupt political alliances, they may contribute to antidemocratic practices or shore up authoritarian regimes. When they are tolerant of, complicit with, or even involved in criminal activity, they pervert their mission, becoming purveyors of insecurity rather than security. It is important to address police corruption in any setting, but in transitional and conflict-ridden settings, it may be impossible to build the public safety conditions necessary to achieve a lasting peace without addressing police corruption.

# APPENDIX A: SOURCES OF INFORMATION FOR ASSESSMENTS

A solid analysis is the basic foundation of program development. A clear assessment is vital to ensure that the program is, in fact, addressing the problem, and not solely symptoms that are reflecting deeper underlying causes. A sector-wide assessment may also be necessary in order to understand and address linkages in corrupt practices across the justice system.

Research in the area of police corruption is inherently challenging, particularly when seeking accurate information to inform an assessment. There are three broad sources of information on police corruption:

- The general public,
- The police themselves, and
- Scrutiny of police activities.

## INFORMATION FROM THE PUBLIC

Information gathering from the general public is not straightforward. Many corrupt transactions benefit all the parties involved and will never be reported; this is particularly true of prostitution, gambling, and other “vice” crimes, sometimes termed “victimless crimes.” In other cases, the fear of retribution precludes public reporting of, or cooperation with, investigations of corruption. A common reason for non-reporting is the belief that nothing will come of it and it is just not worth the effort.

Despite frequent reluctance to report corruption, the public is a vital ally in the fight against police corruption. Common approaches to soliciting public reports of police corruption include public campaigns and tip lines. Officers dislike tip lines, fearing malicious denunciations. It also may be difficult to verify claims. Despite these problems, tip lines are a useful tool as long as there are sufficient resources to follow up on the information received.

Some of the issues around public reluctance to report police corruption may be overcome through the use of surveys. Surveys can provide useful information on perceptions of corruption, trust in police, victimization, and crime reporting rates. They also attract media attention and can be a tool for eliciting public support for reform. Independent research and investigative journalism also can provide valuable insights and analysis, but journalists may face grave threats.<sup>37</sup>

Assessment teams should consider a variety of perspectives from different sectors. Human rights groups, the private sector, social service sectors, and judicial authorities all have viewpoints that should be factored into strategy development. Consultation also provides a means to inform multiple sectors of plans and limit potential misperceptions of donor objectives and processes.



## INFORMATION FROM THE POLICE

Obtaining information from police themselves is notoriously difficult due to the “blue wall” of silence intrinsic to police cultures worldwide. The more extensive corrupt practices are, the more difficult they will be to investigate. The difficulty in investigating and addressing corruption will increase in direct ratio to the number and rank of officers involved, and the pecuniary and political benefits that they gain.<sup>38</sup>

Despite the blue wall, the police themselves can be a good source of information. When provided with a mechanism to ensure anonymity and protect against retribution,<sup>39</sup> lower-ranking officers may be willing to report corruption as it has a direct negative effect on their working conditions and interests.<sup>40</sup> Internal surveys and consultations with lower-ranking officers can be a valuable source of information. Often, the lower and mid-level ranks may be especially receptive to reform as a means to advance their careers and move away from the corrupt practices of their superiors. In Sierra Leone, in response to an internal questionnaire, low-ranking officers “took the trouble to handwrite detailed responses and suggestions back to the team, a clear sign of their interest in being involved.”<sup>41</sup> With assurances of anonymity, internal surveys can provide direct information about corrupt practices as well as extensive information on morale and other issues of concern to officers at different levels in the institution.

If internal police surveys prove to be useful sources of information, they may be institutionalized in the form of an internal police anticorruption tip line. Some of the same cautions apply here as have been mentioned with regard to public tip lines.

## SCRUTINY OF POLICE ACTIVITIES

Scrutiny of police may be undertaken through a number of mechanisms. Bureaucratic corruption can be detected through inspection and audit mechanisms such as review of budgets, expenditures, and resources; personal financial declarations and audits of senior officers; and unannounced station inspections.

Investigations may seek to prosecute offenders or they may try to identify areas and patterns of practice in order to design and implement corrective and preventive policies. Criminal investigation must gather adequate proof to meet evidentiary rules. Criminals and other parties to corrupt transactions may also provide information about corruption that is useful in criminal trials. This may require informants to wear wires or be given sentencing consideration for information provided—options that are not available under all legal systems and which carry certain risks. Investigations of broader police activities often call for specialized skills, such as accounting and financial auditing skills. In many cases, these can be contracted from the private sector (some firms will donate pro bono services). In either case, investigations must be given adequate resources, including the necessary investigative resources and skills to follow up on information received.

One relatively frequent approach is the creation of a special commission to investigate police corruption. A commission may simply investigate and make recommendations, or it may be endowed with temporary special powers to fire officers with a reduced level of evidence and procedural appeals than might be statutorily required.<sup>42</sup> Special commissions have a mixed record. They allow the government to demonstrate concern and a commitment to addressing the problem, while also providing political breathing space as the commission undertakes its work. There is no guarantee that the government will in fact follow up and implement recommendations. Both the National Police Commission that worked in India from 1977–1983 and the 1999–2000 Sebutinde Commission in Uganda met with this fate, though in the latter case, the government did act on some recommendations while leaving aside those that were most important in the view of many observers.<sup>43</sup>

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# ENDNOTES

<sup>1</sup> USAID's Anticorruption Strategy, issued in January 2005, provides agency-wide policy direction and recommends programmatic adjustments to fight corruption and promote good governance more effectively. It defines corruption broadly as "the abuse of entrusted authority for private gain." See [http://www.usaid.gov/our\\_work/democracy\\_and\\_governance/publications/pdfs/ac\\_strategy\\_final](http://www.usaid.gov/our_work/democracy_and_governance/publications/pdfs/ac_strategy_final)

<sup>2</sup> Section 564(a) of the Foreign Operations, Export Financing, and Related Programs Act, 2005. See Assistance for Civilian Policing; USAID Policy Guidance, PD-ACG-022.

<sup>3</sup> Robert Ayres, *Crime and Violence as Development Issues in Latin America and the Caribbean* (World Bank, Washington DC, 1998), Richard Stren, *Urban Research in the Developing World; from Governance to Security* (Number 16, Occasional Paper Series, Comparative Urban Studies/Woodrow Wilson International Center for Scholars, Washington DC).

<sup>4</sup> See for instance the seven principles for policing in a democracy put forward by the UN International Police Task Force (1996) during its mission to assist in police reform in Bosnia-Herzegovina. United Nations International Police Task Force, *Commissioner's Guidance for Democratic Policing in the Federation of Bosnia-Herzegovina*, drafted by David Bayley and Andrew Michaelson, Sarajevo, 1996; also Christopher Stone and Heather Ward, "Democratic Policing; A Framework for Action," *Policing and Society*, Vol. 10, No. 1, 2000. Stone and Ward (2000), Bayley (2001); and Charles Call, *Governance After War: Rethinking Democratization and Peacebuilding*. Special issue (Vol. 9:2, Spring 2003) of *Global Governance*.

<sup>5</sup> Stone and Ward, "Democratic Policing; A Framework for Action."

<sup>6</sup> USAID's Anticorruption Strategy, January 2005.

<sup>7</sup> UN General Assembly 1979a: Code of Conduct for Law Enforcement Officials; UN General Assembly 1990b: Basic Principles on the Use of Force and Firearms by Law Enforcement Officials; Amnesty International "10 Basic Standards for Law Enforcement Officials" [http://www.hrea.org/erc/Library/law\\_enforcement/standards.html](http://www.hrea.org/erc/Library/law_enforcement/standards.html)

<sup>8</sup> Noble cause corruption describes process corruption by which the officer seeks to attain positive law enforcement outcomes through the use of illegitimate means such as planting evidence or lying under oath. While forced confessions are a serious problem in many countries, as is the practice of planting guns on individuals killed in "shoot-outs" with police, these issues are generally included as human rights problems, and there is relatively less concern with the noble cause corruption in the developing South. Tim Newburn, *Understanding and Preventing Police Corruption: Lessons from the Literature*, London: Home Office, Police Research Paper 110, June 1999.

<sup>9</sup> Ghana Center for Democratic Development, cited in Commonwealth Human Rights Initiative, *Police Accountability: Too important to Neglect, Too Urgent to Delay*, New Delhi: CHRI, 2005, at footnote 25.

<sup>10</sup> Government of Uganda, Inspector General of Government, *Final Report: First National Integrity Survey*, 1998; cited in Commonwealth Human Rights Initiative, *The Police, The People, The Politics; Police Accountability in Uganda*, Delhi and London: CHRI 2006.

<sup>11</sup> Interview with policing expert, Bulgaria. See also Open Society Justice Initiative and Jurix, *Ethnic Profiling in the Moscow Metro*, Moscow and New York, Open Society Institute 2006, an observational study of police stops that detected a very low rate of corruption, despite the general reputation of the Russian police for widespread corruption.

<sup>12</sup> See Nubia Uruena, in Stanley Einstein and Menachem Amir (eds.) *Police Corruption: Paradigms, Models and Concepts – Challenges for Developing Countries*, Office of International Criminal Justice (OICJ) Sam Houston State University, 2003.

<sup>13</sup> *Abusers not protectors – how Nigerians view their police force*. Irinnews.org, UN Office for the Coordination of Humanitarian Affairs, Lagos, 24 May 2005.

<sup>14</sup> Stavrou, Safer Cities Program, *Crime in Nairobi: Results of a Citywide Victim Survey*; Safer Cities Series 2, UN HABITAT 2002.

<sup>15</sup> Malachy Uzendo, “IGP to Officers – You Can’t Take Weapons Home,” *Champion Daily*, Lagos, Nigeria, September 13, 2006.

<sup>16</sup> Human Rights Watch, *“We Have No Orders to Save You,” State Participation and Complicity in Communal Violence In Gujarat*, New York: Human Rights Watch, April 2002

<sup>17</sup> David Bayley is the originator of this observation.

<sup>18</sup> Adrian Horn and Funmi Olonisakin, with Gordon Peake, “United Kingdom-Led Security Sector Reform in Sierra Leone,” *Civil Wars*, Vol. 8, No. 2. (June 2006), pp. 109-123.

<sup>19</sup> Author interviews in Lima, and with Colombian experts on policing.

<sup>20</sup> Washington Office on Latin America (WOLA) *Themes and Debates in Public Security Reform: A manual for civil society, Internal Controls and Disciplinary Units*, Washington DC: WOLA.

<sup>21</sup> Davis, Mateu-Gelabert and Miller, *Can Effective Policing also be Respectful?*

<sup>22</sup> See Philip Stenning; *The idea of the political ‘independence’ of the police: international interpretations and experiences,*” conference draft, June 29, 2004, at [www.ipperwashington.ca/policy\\_part/pdf/Stenning.pdf](http://www.ipperwashington.ca/policy_part/pdf/Stenning.pdf); David Bruce and Rachel Neild, *The Police That We Want; A Handbook for Oversight of Police in South Africa*, Johannesburg and New York, Center for the Study of Violence and Reconciliation, Open Society Justice Initiative and Open Society Foundation for South Africa, 2004.

<sup>23</sup> Horn and Olonisakin, “United Kingdom-Led Security Sector Reform in Sierra Leone,” op cit.

<sup>24</sup> Commonwealth Human Rights Initiative (CHRI), *The Police, The People, The Politics; Police Accountability in Uganda*, Delhi and London: CHRI 2006; and CHRI, *The Police, The People, The Politics; Police Accountability in Kenya*, Delhi and London: CHRI 2006.

<sup>25</sup> Presentation by Laura Chinchilla, in Washington Office on Latin America, *From Peace to Governance; Police Reform and the International Community*, Washington DC, 2002, at [www.wola.org](http://www.wola.org).

<sup>26</sup> Bruce and Neild, *The Police That We Want*, op cit; also, Independent Commission on Policing for Northern Ireland 1999: *A New Beginning: Policing in Northern Ireland*. The Report of the Independent Commission on Policing for Northern Ireland/Patten Commission (Belfast).

<sup>27</sup> In wealthy nations, police have undertaken a range of high-tech and aggressive anticorruption initiatives. Proactive integrity testing involves setting up situations that present an opportunity for corruption, such as a raid of a drug house which has previously been set up with hidden cameras. These strategies border on entrapment and may not be feasible in all legal systems. It also changes the question from whether an officer is corrupt to whether he is corruptible. The New York Police Department (NYPD) also has a system of “police associates,” officers who are recruited to act as internal informants.

<sup>28</sup> Mark H. Moore, *Recognizing Values in Policing*. Washington DC: Police Executive Research Forum, 2003.

<sup>29</sup> Samuel Walker, *The New World of Police Accountability*. Thousand Oaks: Sage Publications, 2005.

<sup>30</sup> Ibid.

<sup>31</sup> Internal accountability mechanisms such as internal affairs bureaus, and inspection and audit units, may be poorly resourced or even non-existent in corrupt police forces. Where internal controls do exist, they may focus more on maintaining the status quo, often in enforcing military-inspired disciplinary codes that focus more on compliance with formalistic internal rules than on professional conduct and treatment of the public. Structurally, internal disciplinary mechanisms may go through the commanding officers of the unit or region, thus lacking neutrality and incentives to address infractions that have taken place in units under their authority. Washington Office on Latin America (WOLA) *Themes and Debates in Public Security Reform: A manual for civil society, Internal Controls and Disciplinary Units*, Washington DC: WOLA.

<sup>32</sup> Pedro Mateu-Gelabert, Robert C. Davis, and Joel Miller, “Can Effective Policing Also Be Respectful? Two Examples in the South Bronx,” *Police Quarterly*, Vol. 8, No. 2, 229-247 (2005)

<sup>33</sup> This may be resisted as training an officer represents a significant investment. Clearly, there must be an important degree of confidence in the senior officers making the decisions in these cases and a set of criteria established to define who may be considered unfit.

<sup>34</sup> United Nations Office of the High Commissioner for Human Rights, *Rule of Law Tools for Post-Conflict States, Vetting: An Operational Framework*. New York and Geneva: United Nations, 2006.

<sup>35</sup> Many police assistance programs focus heavily on training. There is considerable consensus among experts that training alone has little to no impact on behavior unless it is accompanied by institutional changes in accountability mechanisms and incentive structures to create a positive support for new behaviors and checks on persistent bad habits. That said, where new operational policies and standards are being introduced, it is very important to train officers to build their understanding, skills, and ability to implement new principles and practices. Training, particularly for patrol officers and others with extensive citizen contact, should be highly practical with a strong emphasis on behavioral skills. Separate training should be provided to line supervisors and managers focused on the oversight and evaluation skills that they will require in order to implement new systems effectively. Finally, there should be a review and feedback mechanism to make sure that training is meeting real needs.

<sup>36</sup> Regular, often annual rotation of personnel (i.e., transfer from one post to another) have been introduced historically in the USA and elsewhere to prevent the building of local relations and/or networks of corruption. However, on balance, rotations do not seem to prevent corruption; where corrupt practices are endemic, they may actually spread it. In themselves, frequent approval of assignments may generate more opportunities for senior officers to require payment. Finally, rotations have often been found to impede building police-community relations and instating community policing practices.

<sup>37</sup> The case of Jose Luis Cabezas, an Argentine journalist investigating police involvement in the bombing of the Amia Jewish community center is a striking example of the potential dangers that investigative journalists face in examining police corruption. Also see the Committee to Protect Journalists, which is dedicated to protecting press freedoms worldwide.

<sup>38</sup> See for example, Costa and Neild, Police Reform in Peru, Australia and New Zealand, *Journal of Criminology*, Volume 38, Number 2, August 2005, pp. 216-229(14).

<sup>39</sup> Options include internal tip lines, specialized offices, surveys, and interviews.

<sup>40</sup> This may be particularly the case of militarized police organizations characterized by steep hierarchies and two-tiered systems that prevent promotion from rank-and-file to commissioned officer level. It is not uncommon to find harsh internal discipline and extreme wage differentials between officers and police agents in these systems. In these settings, if adequate guarantees of anonymity and protection against retribution can be offered, police agents may be quite willing to provide information on corrupt practices that further aggravate their working conditions.

<sup>41</sup> Adrian Horn and Funmi Olonisakin, with Gordon Peake, "United Kingdom-Led Security Sector Reform in Sierra Leone," *Civil Wars*, Vol. 8, No. 2. (June 2006), pp. 109-123.

<sup>42</sup> This course was taken in a late 1990s police reform in Colombia where legal grounds for dismissal were temporarily reduced and over 700 officers fired.

<sup>43</sup> Commonwealth Human Rights Initiative (CHRI), *The Police, The People, The Politics; Police Accountability in Uganda*, Delhi and London: CHRI 2006.

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