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## Policing Democracy

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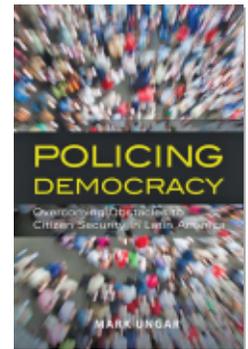
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# Chapter 1

## Introduction

The steps that must be taken toward citizen security in Latin America are clear but steep. Since the region began to democratize in the 1980s, reform of the police and criminal justice systems has always been necessary, but rarely urgent. Even as crime began breaking records and topping opinion polls of citizens' concerns in the 1990s, the response of most governments was ad hoc, piecemeal, and ineffectual. The combination of ever-mounting crime and the failure to halt it—along with the ensuing public panic—created a citizen security crisis in Latin America.

This crisis has exposed the limits of the region's long-established form of law enforcement, which is based on a centralized, standardized, and forceful response to crime. Growing awareness of the weakness of this approach has spurred efforts to replace it with problem-oriented policing, which, by contrast, tries to address the roots of crime through citizen participation, preventive social policies, and institutional accountability. But as it spreads, this new approach has become entangled in a set of mutually reinforcing political, institutional, and societal obstacles. As a result, much of Latin America is stuck between the paradigms of traditional and problem-oriented policing, with past practices coexisting with new laws amid a jumble of policies and political tensions that disperse responsibility and allow everyone to sidestep blame. This book is about what countries are doing, and can do, to break out of this impasse.

Both new and established democracies in every region of the world have initiated major reforms in citizen security over the last twenty years, from more streamlined structures to community policing (Das and Marenin 2000; Kádár 2001). Latin America's many advantages in these efforts, from its highly active civil societies to its mechanisms of regional cooperation,

have helped launch security reform throughout the region and put it at the forefront of change in the democratizing world. Such efforts have been driven by record rates of violent crime. With a 41 percent increase in homicides in the 1990s, Latin America became the world's deadliest region (UNICRI 1995; PAHO 2002).<sup>1</sup> Since 2000 its average annual homicide rate has been 27.5 deaths per 100,000 persons, compared with 8.8 for the rest of the world, 5.8 for the United States, and 2.3 for Western and Central Europe (see figure 1.1)<sup>2</sup> A full 42 percent of the world's murders each year now take place in the region (Luz and Pérez 2007), and half of the world's ten most dangerous countries—Brazil, Colombia, El Salvador, Honduras, and Venezuela—are in Latin America. About 140,000 Latin Americans are murdered each year, fifty-four families are robbed every minute (Carrión 2003: 51), and one in three people in the region has been a victim of violence. Most ominous, eighty thousand minors are killed violently each year, and murder is the second leading cause of death for persons in the 15- to 25-year age range. In Costa Rica, by most measures the safest country in Latin America, homicides have risen 30 percent since 2000.<sup>3</sup> As Londoño and Guerrero (1999) document, the percentage of families in the region's countries who were victims of property crime, robbery, or assault ranged from 20 percent to over 50 percent each year in the late 1990s. Not only is there more crime throughout the region, but more of it is violent. In 1990 in Venezuela 16 percent of the crimes against property were violent, but in 2002 that number rose to 46.2 percent. By 2008 that country had one of the world's highest rates of other violent crimes such as kidnappings, armed robberies, and carjackings (Overseas Security Advisory Council 2008).

The costs of crime extend beyond individual victims. Through security outlays, loss of labor, reduced investments, and other expenses—and often not including costs to the criminal justice system—crime was estimated to be eating up almost 15 percent of Latin America's gross domestic product (GDP) by the late 1990s (Ayres 1998).<sup>4</sup> Chile, for example, estimates that just homicide costs it nearly US\$9 million a year (Fundación Paz Ciudadana

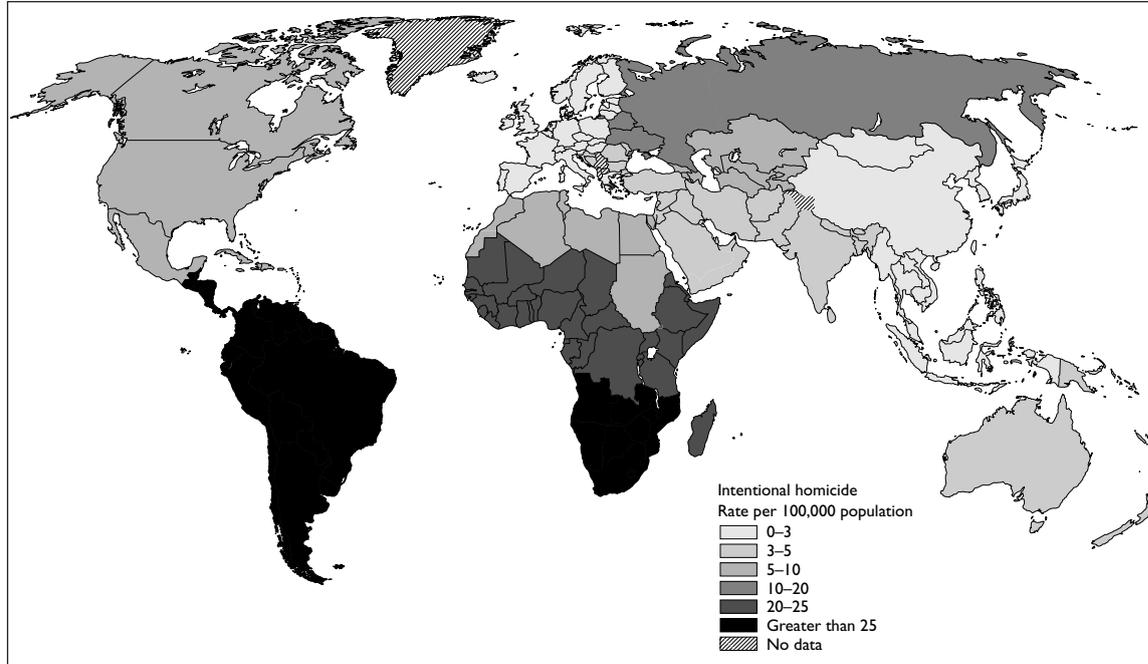
1. "Mueren unos 80.000 menores al año por violencia en la región," *El Deber*, Santa Cruz, November 17, 2006.

2. Interpol International Crime Statistics, <http://www.interpol.int>; UNODC (2005).

3. Carlos Mora, "Costa Rica atemorizada por el hampa," *La República*, April 17, 2006.

4. According to World Bank reports, the combination of homicides, accidents, and suicides accounts for 20.5 percent of lost years from death and incapacity among men in Latin America, which is well above the global average of 15.3 percent.

Figure 1.1. Regional Rates of Intentional Homicides, 2004



Source: UN Office on Drugs and Crime, [http://www.unodc.org/images/data-and-analysis/homicide\\_rate\\_map\\_web.jpg](http://www.unodc.org/images/data-and-analysis/homicide_rate_map_web.jpg).

1999).<sup>5</sup> These numbers alone have been sufficient impetus for reforming the agencies, laws, and processes responsible with bringing them down.

### Citizen Security Reforms

In Western Europe and the Americas, policing has gone through three main stages. In the first stage, in the 1800s, most of the organized police forces were local, controlled by municipal or regional officials as an instrument of their power (see Lab and Das 2003). In the second stage, with the growth of technology and centralized states in the 1900s, most police came under national control, accompanied by more efficient administration and professional standards. Advances such as the car, two-way radio, and Uniform Crime Reports led to an emphasis on maximizing efficiency through rapid responses. But even as this approach increased society's expectations that the police would help citizens deal with an ever-widening gamut of problems, it reduced police awareness of warning signs and weakened citizen cooperation on crime prevention. Social upheaval in the United States and Europe in the 1960s and 1970s exposed the limits of this standardized approach and opened the way to the third main stage, generally called community policing. This approach put officers back on the streets and gave them more flexibility to address the causes of crime and earn citizen trust. This approach has also guided, at least formally many of the police reforms adopted by postcommunist governments in Asia and Eastern and Central Europe (see Kádár 2001; Uildriks 2005).

Twentieth-century authoritarianism held Latin America back from this third stage, because the era's military juntas used the police and courts less to control crime than to subdue society and persecute dissidents. Instead of giving way to community policing, the transition toward democracy in the 1980s civilianized rather than scrapped the professional model. Well into the 1990s police structures continued to be vertically rigid, and crime policy continued to be based on top-down responses. Although police forces were now subject to civil rights controls and oversight by elected officials, police chiefs did not have to adjust their hierarchies, nor did they have to adjust to having their careers tied to demonstrating results. Quantitative measures of efficiency, such as the number of detentions, shut out alternative forms of citizen-based assessment. Steeped in what Goldstein (1990)

5 All dollar amounts are U.S. dollars unless otherwise indicated.

calls the “means-over-ends syndrome,” policing was rooted in set practices rather than changing conditions—that is, on what the police traditionally did rather than on what they were supposed to accomplish (Eck 2006, 18).

As in the United States in the 1960s, during the 1990s the police in Latin America could not keep up with domestic change. As different social sectors mobilized and education levels rose, people became less tolerant of police forces whose ineffectiveness was more and more obvious. Along with deepening democratic stability and a raft of judicial reforms, the political embarrassment of police missteps, along with the realization that crime policy was almost useless against increasingly complex forms of crime, began opening the way to more preventive law enforcement. An impressive number of reforms resulted, ranging from the superficial to the impossible. But in between was a critical mass of changes that were substantive enough to create a momentum for real change. Although differing among countries, these reforms fall into five general areas described in the sections that follow: (1) agency restructuring, (2) professional support, (3) control mechanisms, (4) legal changes, and (5) community policing. Many initiatives and policies—such as information systems, alternative dispute resolution, neighborhood police modules, and community judges—include and advance several of these changes simultaneously.

Of all these developments, the ones with the most longevity have been those that have incorporated, even minimally, the idea of problem-oriented policing. In general, problem-oriented policing can be defined as the process of grouping criminal acts together to identify and address their causes. It changes the police’s response from “one crime at a time” to crime clusters or problems, with prevention rather than number of crimes solved as the central measurable goal (Rosenbaum 1986). This approach requires decentralizing police structures, providing more socioeconomic support, making officers’ schedules more flexible, and convincing other state agencies to support and evaluate the police’s proactive responses (see Goldstein 1990, chap. 2). With its panoramic perspective, though, problem-oriented policing is legitimately criticized for being too vague to be useful for either analysis or policy. After all, traditional policing also responds to problems, and problem-oriented policing is often used just as a convenient catch-all criticism of it.

But problem-oriented policing is more a process than an application. It approaches an insecurity problem along different lines and then develops responses that, by definition, will vary. For many police agencies this kind of policing has been broken down into a set of specific steps known as a

SARA: scanning (determining whether an issue is a problem); analysis (collecting data on the problem to document “its scope, nature, and causes”) (Braga 2002, 14); response (analyzing the data to design an appropriate response); and assessment (evaluating that response)—see also Eck and Spelman (1987). By means of this staged and multidimensional diagnosis, problem-oriented policing addresses the causes of crime through actions that can be as concrete as those used in more traditional approaches. The potential and challenges arising from this kind of policing stem from whether it can be tailored to the local, socioeconomic, and criminogenic conditions that any effective policy must address. Beyond aiming for particular goals or more efficiency, problem-oriented policing is about forging a new and more flexible internal disposition geared toward processing problems beyond the traditional triad of patrol, detention, and investigation (see IEPADES 2000). Those problems, though, are not just criminal ones. They also arise from policy, management, and criminal justice. Citizen security reform is thus the process in which the five areas of change discussed in the sections that follow begin to coalesce around crime as well as the weaknesses in the response to it.

As part of the process, citizen security reform should draw on the experiences and results of traditional policing. The current applications of traditional policing, this book argues, have stripped away its strengths in the pursuit of immediate results. Clarity in directives, a focus on high-publicity crimes, strict hierarchies, and other attributes associated with traditional policing are not detrimental in themselves. Trying to get a handle on international drug networks, for example, requires the planning and execution offered by traditional policing. Traditional strategies are also more politically and administratively acceptable, which is no small consideration in the politics of security. But when traditional tactics are subject to immediate or politicized objectives, such as a drug sweep without efforts to understand the appeal of drugs in the target neighborhood, they can be counterproductive. Such ineffectiveness can often be reduced, however, when traditional policing methods are used within a problem-oriented framework. Rather than letting antigang crackdowns and youth social programs run counter to each other because they were developed by different political coalitions, officials can fuse categorizations of youth and incentives for leaving gangs with tough penalties against gang leaders. Such fusion also boosts the political credentials of problem-oriented policing by showing that it is based not on a rejection of traditional policing, but, like the policies it develops, on what works best for particular problems.

### *1. Agency Restructuring*

A main impetus for problem-oriented policing is the realization of how ill-suited traditional police structures are for democratic societies. This awareness has led to agency reorganizations aimed at making the police more accountable, more professional, and more efficient. Most restructuring take one of three forms. The first is geographic decentralization, in which centralized agencies are broken up into geographically delineated forces. These changes can be partial, in which new provincial and municipal agencies complement national ones, or more thorough, such as the complete replacement of an entire force by local units. The second type of structural reorganization, often accompanying the first, is a functional specialization through the formation of separate investigative and preventive street agencies, at a minimum, along with smaller units. A third form of restructuring is internal. Such change is mostly likely to take the form of reducing the number of ranks or merging the separate hierarchies for officials and sub-officials, which is the principal division within most Latin American police agencies.

### *2. Professional Support*

Expectations of a more professional police force must be backed up by professional support. In Latin America such support comes in many forms. The most significant for the regions chronically and woefully underpaid officer is salary increases. Funds for salaries are limited, however, and so governments try to replace or supplement them with better health care, pensions, and other benefits. Like better salaries, such benefits can boost individual a group morale, which (at least theoretically) should cut down on corruption. Another area of professional support is job security primarily through firm and fairer career laws with enforced procedures on promotion and dismissal. Most other forms of support are technical; indeed, police are continually calling for more and better technology and equipment. Crime-mapping software, better forensics equipment, new vehicles, and other material have sweetened reform packages that might have been difficult for police to accept otherwise.

Changes in other areas of criminal justice, while less direct, often involve forms of professional support that benefit the police. Judicial reforms such as decentralization of the Attorney General's Office (Ministerio Público o Public Ministry or MP, also known as the Fiscalía) and quicker processing

of detainees can free the police from activities in which they tend to be slow and resentful.

### 3. Control Mechanisms

Problems in citizen security are so far-flung that oversight must be as wide and adaptive as possible to ensure that the state's security network is more responsible toward both society and itself. To increase legal, fiscal, and public transparency, countries throughout Latin America are introducing or re-vamping many accountability agencies over the police. These bodies range from broad national ombudsmen (usually called *defensorías del pueblo*) to internal affairs units within the police and disciplinary bodies in each jurisdiction. Other state agencies, such as the *Fiscalía*, also have oversight and investigative authorities that extend over the police. Even entities lacking official legal powers, such as media outlets and nongovernmental organizations (NGOs), can and do exercise less formal oversight through investigative reports and publicity. The rights of citizens are the main concern of these agencies, particularly NGOs and the *defensorías del pueblo*. However, in an effort to increase transparency and address internal conflicts, additional areas such as finances and officer work conditions are also often put under their purview.

### 4. Legal Changes

A host of new laws are empowering or controlling Latin America's police in different ways. Mirroring the dilemma between traditional and problem-oriented policing, these legal changes range from more authority on the street to more limited roles in the postdetention stages of the criminal justice process. The most important and sweeping legal change, discussed far more in the literature on judicial reform than that on police reform, is new penal process codes. In Latin America criminal investigations are notoriously slow and biased—less than 3 percent of homicides lead to a conviction. Thus since the early 1990s fourteen countries have adopted new penal process codes. Although the codes vary, they are all aimed at speeding up trials, clarifying the role of each criminal justice agency, and strengthening due process by replacing glacial and cumbersome written procedures with oral trials, transferring investigative authorities from the police to prosecutors (*fiscal*) in the Attorney General's Office, and creating courts at the investigative and sentencing stages. Many other codes have expanded alter-

native sentencing and community justice, such as through formation of the popular “judges of the peace.” The initial impact of these new codes was impressive. Although the percentage of detainees awaiting trial had been rising in nearly every country in the 1990s, during the first three years the codes were in effect there was an average regional drop of 32.6 percent in the number of unsentenced prisoners (Riego and Duce 2008, 44). However since this initial period rates have been creeping up again in most countries. But the decrease in unsentenced prisoners in these first few years has been the only significant and sustained reduction of this group in most of Latin America.

As discussed throughout this book, each of the changes fostered by these new codes has had wide repercussions for police work and authority, from detention to trials. The new codes also mark a change in the nature of the law itself. As many scholars have discussed, the law is composed of statutes as well as regulations on how to apply them (see Sarat and Kearns 1995; Nonet and Selznick 2001). Penal codes specify what is illegal, whereas penal process codes are about how to deal with transgressions of them. Generally, penal process codes guide daily application of the law and reflect an inquiet over it. Although rules about what is legal reflect a broad consensus on basic legal tenets that evolve only gradually, rules about their application gauge the constant changes in public opinion and state functioning. Operating as the half of the law that is applied, rules about rules can thus be as important as the rules themselves.

### 5. *Community Policing*

Community policing is a preventive approach based on making society the first line of defense against crime and insecurity. It helps citizens step into that role through a range of approaches. The most common are neighborhood watch groups and targeted actions against a specific problem such as a spate of robberies or poor street lighting. Other activities might be joint citizen-police security councils and programs such as youth centers and domestic violence seminars to address crime’s causes and help vulnerable sectors. A primary objective of such projects is to bridge geographic, socioeconomic, and other differences among citizens, which aids cooperation among them as well as between them and the police.

Community policing is often buttressed or supplemented by police restructuring designed to facilitate police-citizen interaction, such as by giving more autonomy to neighborhood police chiefs (*comisarios*) or reorgan-

izing the local police into neighborhood divisions that give officers more time and autonomy to work with residents in developing responses to insecurity (see Morash and Ford 2002). The rest of the state also plays a role, particularly by decentralizing social services to the local level and formally incorporating them into crime policy.

### This Book's Arguments

Because criminal justice and police structures are slow to change, one of the most appealing features of community policing is that it is less tied to dysfunctional state institutions and their rigid responses. Combined with the other areas of reform, it can help citizen security officials question set practices in ways attuned to political and institutional realities. Oversight, restructuring, and the other changes just described would ideally be substantive and flexible enough to prompt officials to alter or discard practices that no longer work. In the process, these changes would open up different routes to problem-oriented policing by helping balance central control with local autonomy, vertical command with horizontal coordination, and consensus with adjustability.

But this is the core dilemma of citizen security reform: by exposing the biggest vulnerabilities of Latin American states, reform often triggers the states' strongest defenses against change. As in most countries, proposed alterations of long-term practices cause an almost reflexive opposition to the by officials vested in the status quo. Twenty years of democracy in the region has left a long trail of promising overhauls that, as pressures to halt crime heightened institutional resistance and political impatience, were abandoned in favor of short-term actions that only aggravated agency inefficiency and public panic. As officials then try to undo the complications arising from their quick fixes, they lose touch with the causes of crime, the nature of policing the standards of democracy—and their ability to bring about change. This predicament, the pivot between traditional and problem-oriented policing, is this book's point of departure beyond the existing literature.

That literature, from policy reports to multiauthored books, has established citizen security as a substantive area of academic scholarship. This extensive work, which the following chapters build on, has advanced understanding of the full range of citizen security issues. But it has not yet developed analytical frameworks to explain across different cases why obstacles to reform develop and how they can be overcome. Although each

situation is unique, a better delineation of what they have in common will help inform analysis of when external experiences can and cannot apply. In the literature, edited volumes are more parallel than comparative, describing issues alongside each other instead of using them as an opening for deeper insight. By contrast, studies of one problem, time period, or case can miss important connections among issues and patterns through time. In addressing these and other gaps, the challenge for citizen security scholarship can be grouped into three areas that correspond roughly to those this book highlights: institutional relations, daily policing, and the spectrum of reform. Attention to these areas, described in the sections that follow, can widen perspectives on citizen security to take in the full set of motivations behind and the impacts of Latin America's citizen security reform.

### *Institutional Relations*

The first area requiring more focused analysis is institutional relation among those in charge of criminal justice. When zeroing in on a particular citizen security problem, most studies overlook the working relations among the executive branch, legislature, courts, police, accountability agencies, public prosecutor, NGOs, penitentiary system, and others. The observable relations among these agencies are complex enough, and, inconveniently do not conform to their official roles. Most works on citizen security describe the range of institutional limits to reform (Beliz 2007) or focus on particular ones. Some works study budgets (Ward 2006), but few examine the process of formulating a budget and disbursing public funds. Digging further into formal procedures can help reveal unseen sources of control and the real extent of resource waste and abuse. As the next chapter reveals, the poor and incomplete compilation and analysis of crime statistics are often less a result of disorganization than of manipulation by rival agencies. Similarly, an interinstitutional examination of police corruption can reveal a lot about power and transparency among the many agencies ostensibly in charge of curbing it. And knowing why a security minister keeps only loose track of private security firms or supports a corrupt police chief can demonstrate how democratic standards as well as citizen security policies are compromised.

Institutional relations are also important because of how they respond to outside pressure. Although the network of criminal justice officials and agencies is changing and anything but cohesive, it still often reacts to alterations in the external environment by circling the wagons against change and working to keep itself and its power intact. Just as nondemocratic rules

and officials can survive a transition to democracy, so too can they hold out through the move to a new kind of citizen security when they may then neutralize or directly challenge reform. For example, the continuation of aggressive detention and high incarceration has undermined Latin America's new penal process codes. Getting around such a blockage, as this book discusses, requires a broader approach that accounts for interconnected agencies and practices.

Just as the citizen security crisis goes beyond crime, as supporters of problem-oriented policing argue, its solution must go beyond the expertise and responsibilities of any single agency. But without directive-driven blueprints, such plans are at a strategic disadvantage and may be no match for the clearer but often more abusive methods of traditional policing. Even if a reform is able to recalibrate relations among criminal justice agencies, it has to strike many balances along the way. Reform must control management without stifling innovation and increase citizen participation without triggering police withdrawal. Such goals are difficult to attain, but even reforms that set their sights lower do not necessarily fare better. Because many officials become interested in reform only when an agency's poor functioning draws criticism, the changes they enact usually improve the agency just enough to subdue public criticism but without imposing long-term reform. Initiatives that bring together criminal justice agencies to focus on a specific crime, such as carjacking or kidnapping, produce more impressive results. But such results tend to be inversely proportionate to durability because of the up-front resources needed and the strain of pulling together agencies that normally do not cooperate.

Because of the political, financial, and institutional difficulties of altering so many agencies at once, policymakers in Latin America are often reduced to dealing ploddingly with one agency at a time. Gradually introducing change by sequencing reform projects or concentrating on specific agencies can make sense, especially in the face of resistance, but it often comes at the expense of the larger network of activity associated with citizen security. For example, training the police in new investigative methods has a limited impact without complementary changes in the courts. And increasing the police's detention power may negate community policing programs focused on police-neighborhood relations. Because of the connections within criminal justice, new approaches usually work best if adopted in tandem. For example, one of the main harms to penal process codes is the error-filled crime reports rejected by prosecutors and judges. Those reports are one of the main links between otherwise distinct reforms, such as

community policing and penal process codes. As discussed throughout this book, community policing is probably the best way to build the citizen trust that leads to credible evidence and witnesses for trial. But police reports that fall short of standards set by penal process codes are one of the weak links in the chain of institutional relations and actions that make up the criminal justice process. Without a holistic approach toward that larger process, even its stronger elements, such as community policing and penal process codes, are incapacitated.

Beyond specific reforms, more attention to institutional relations would help show how citizen security affects democracy—a subject most studies acknowledge but do not sufficiently explore. Aside from exceptions such as Koonings and Kruijt (2004), most of the literature on citizen security and democracy blocks that path of analysis by taking police resistance and political inflexibility as a given. For example, Sain (2001, 129) characterizes security policy as “permanent political misgovernment,” and Amar and Schneider (2003, 12) assert that “punitive policing agenda and hard-line security practices have come to define the role of local government in cities across the Americas.” Pointing to abuse as the primary concern and building on the transition literature’s view of security forces as an obstacle to democratization, most studies approach citizen security as a problem more of human rights rather than of governance. They often downplay the fluidity of security conditions and the potential for new approaches. Most of the time the police regard such stances as the kind of handpicked criticisms that give them reason to dig in their heels against change. Defensive postures also arise from disorganization, with police heads too unsure about the quality of their own agencies to be open to scrutiny. The obstinacy of the police may stem from what they are hiding, that is, as well as from not being sure what they are hiding. Without understanding these unseen patterns, most studies miss the larger picture of institutional relations, which is beyond the control of any official or set of officials, particularly when they are caught in the growing gulf between law and order on one side and human rights on the other.

### *Daily Policing*

How crime officials act with each other is rooted in how they handle their own jobs. One of the literature’s biggest gaps, in fact, is the nature and experience of policing itself. What happens in the course of a day is often the most revealing about what reforms are up against. In addition to (or instead of) stopping crime or obeying orders, a police officer’s attention during a

shift is often dominated by personnel conflicts, gripes about schedules, an physical exhaustion. In their comparative study of police integrity , Klockars, Ivkovic, and Haberfeld (2004) examine a long list of attitudes and temptations that are part of every office 's shift. Gaines (1993) discusses how stress can motivate officers to be more cautious, but how once it reaches a certain level can "begin to have a debilitating effect." Such individual anxieties, routines, and preoccupations may seem inconsequential for national policies, but they can determine the fate of those policies as well as the fate of their proponents. A passing confrontation with a citizen, a missing fact in a police report, and other small undocumented actions—occurrences that often reflect flagging attention rather than deliberate sabotage—can reverberate through the citizen security machinery.

These factors also exemplify the difficulty in striking a balance between encouraging and controlling the individual discretion at the heart of police work. No matter how clear and restrictive the law , police officers have range of both formal and informal authority that is wider than that of nearly any other kind of state official. In dealing with the innumerable permutations of citizen security challenges—from poorly lit alleys to murder scenes—police must choose from and combine a broad selection of strategies, tactics, and norms. The resources and reactions that police tap into when doing so are equally broad. Actions such as dispersing street vendors, which local police commonly do in Latin America, are associated with many different legal and societal norms. Kleinig (1996, 24) points out that because police officers are at the front lines of all societal dysfunctions, they "come to see their role punitively, and not simply custodially." Reform efforts and studies of reform must therefore look more closely at how such actions are shaped by training courses, promotion incentives, hierarchical relations, and institutional culture. They also must consider the individual makeup and daily lives of officers to understand what such policies and institution cannot shape. Corruption, of course, is one practice in which the influence of an office 's routine patrol have far more impact than the rules of the station in which it begins.

The contours of discretion and behavior are often examined in the literature through the perspective of the police "culture." Within any force, how officers act and how they are supposed to act reflect overlapping layers of relationships and perceptions. They include the image of the institution projected by political elites, police connections with different social groups, the divide between management and the street, and relationships among those within each rank. McLaughlin (2007, 3) has closely studied the "cultural

construction” of the English police as a valued and iconic part of society , overcoming deep resistance through “considerable attention . . . to image and styling.” New York City’s Police Department transformed its image over the course of a recent decade from one of corruption and chaos to one of heroism and control. Along with that image are expectations and rules about how officers deal with each other, from their peers to other ranks, and with different sectors, from tourists to public housing residents. Although such standards certainly affect officer actions, often more influential are officers’ individual relations and experiences. Reuss-Ianni (1999, 8) describes a general socialization in which officers learn what the job is about an “how to play the game.” Peer pressure and the informal and formal powers of higher-ranking colleagues (as chapter 3 discusses in detail) are two of the most important ways to learn that game.

Interviews with police officers throughout Latin America do indeed reveal the elaborate but often unspoken rules by which officers live. Behind the stereotype of the “thin blue line,” which refers to police officers’ defense of each other and their role in stopping civilized society from becoming ungovernable, is an elaborate set of rules such as: be aggressive but do not step on your colleague’s toes; do your part but do not attract attention; never abandon colleagues but “always cover your ass.” The challenge of balancing such finely calibrated rules is compounded by the fast-changing conditions and diverse societies in which they are found. One rookie officer in Santa Cruz, Bolivia, for example, said he had the rules down pat but had trouble applying them amid disputes between regional and national commanders and when the names of middle-class drug traffickers protected by the police changed. The more difficult officers find it to follow these rules the more distant formal image and regulations become.

The combination of discretion and individual mindset also accentuates the unintended consequences of controls over policing. Most reform tries to corral police officers into strictures that the reality of police discretion renders meaningless, or, when combined with excessive bureaucracy harmful. In response, officers often find it easier and more personally rewarding to avoid rather than abide by the controls over them. Even when they do make an effort to conform their actions to the law which the majority of police do, they may not find a corresponding regulation. Many officers thus use a general edict to detain a potentially violent person whose behavior does not fit into any specific law. The likelihood of abuse is therefore heightened, in turn deepening the divide between challenges to such actions in court and the push by the police for *mano dura* (iron-fisted) laws that give

such actions a clear, legal imprimatur. Through the incorporation of daily policing, this book focuses not on what the police are doing wrong—which dominates scholarship and policy—but what the police are doing.

### *Spectrum of Reform*

Most studies of citizen security reform capture only part of its wider political arc. Studies that examine one or two cases, such as those by Hinton (2006) and Eijkman (2007), provide a thorough analysis of the process and politics of security policy. Bailey and Dammert (2006, 15–21) offer a useful summary of the limited short-term results of reform in six cases. But more effort must go into following through on the actors, actions, alliances, sleights, dilemmas, and cut-corners that shape the complete trajectory of reform.

At each stage of the reform process—formulation, implementation, and evaluation—nearly every proposal must traverse a minefield of attacks and delays. The first stage, formulation, requires a coalition able to produce a proposal free of excessive compromises, contradictions, or unrealistic expectations. Just like the “birth defects” of a democratic transition (such as pacts among parties that remove sensitive issues from public contestation), security legislation that neglects certain areas, processes, or questions will later suffer from limitations. Although many works discuss public opinion, for example, few explore how different sectors of society are or are not allowed to add their views to legislative debate. Such debate also often fails to incorporate changing social conditions that foster or legitimize crime, as discussed in Burke’s analysis of the “social construction” of crime (Hopkins Burke 2004, 9–13). In particular, proposed bills often target a problem, such as the increasing abuse of a specific drug, that is liable to change. Also overlooked in many analyses of reform’s adoption is ideological polarization. Blame for insecurity tends to fall into two categories—socioeconomic conditions such as poverty and youth unemployment on one level and institutional problems such as bureaucracy and corruption on another. Because different kinds of actors tend to gravitate toward one category or the other, this division becomes politicized and reinforced, making it even harder to address both categories.

Weaknesses and poison pills in a policy’s formulation continue into the second stage, implementation. Even reforms emerging relatively intact from policymakers can get stuck in the institutions charged with carrying them out. Officials in those agencies either resist those reforms or, in many

cases, are unable to implement them. For example, internal affairs office may find themselves with only a fraction of the financial and political support needed to carry out their work. Both of those potential hazards—lack of support and lack of will—could be reduced through problem-oriented approaches, which tend to include more of the agencies, from school boards to public sanitation works, that deal with the various causes of crime. Such a mutual response could also spread out the political risk of results. Without strong leadership, however, such an approach can succumb to competition and lack of accountability for results.

Evaluation, the third stage, is equally important but almost always the most neglected stage of reform. As chapter 7 describes, this ongoing process is critical to keeping reform on target with its stated aims. Doing so requires open channels from all sectors of society and all ranks of the police, which itself may require some kind of agency restructuring and clearer lines of communications. For example, the police corps in San Diego, California, and Santiago, Chile, were reconfigured into groups responsible for a defined set of city blocks headed by a director with autonomy in agent assignment, resource use, and development of collective solutions. As this book describes, such flexibility can mean the difference between success and failure even in adjacent neighborhoods. But because political capital is often exhausted before evaluation mechanisms are negotiated into a bill, only a fraction of police agencies have managed to initiate such changes. Unless both officers and citizens can express their honest responses to a policy and those responses can be incorporated into its structure, this last but critical stage of reform will enfeeble the overall change.

Getting these three stages on track also depends on the larger timing of democratization. Although most police forces in the region's countries were instruments of authoritarian repression, they were usually spared the purges, restructuring, and downsizing endured by the armed forces during the transition. Understandably reluctant to take on one more fight, as discussed in chapter 2, most elected officials do not meddle with the police as long as crime and abuse remain under control. But such delay has often meant missed opportunities to hitch reform to overall political change. Because problem-oriented policing by definition involves citizens, the path toward it should be part of the realignment of state-society relations during the transition to democracy. But as policing practices settle in and higher crime rates render the public less amenable to new approaches, policymakers are forced to narrow reforms to specific time periods, areas, or units

And if these reforms fail—a result that such limitations almost ensure—they are unlikely to be attempted again if the chance arises, even if the context and not the policy is at fault.

Together, these three areas—institutional relations, daily policing, and the spectrum of reform—zero in on why citizen security in Latin America is in a crisis. Democracy requires a rule of law that contemporary states are not strong enough to sustain, but problem-oriented policing is a change that can absorb and turn around its weaknesses.

### Organization of This Book

This book describes the citizen security crisis in Latin America, the reforms being enacted to address it, and their chances of overcoming a multitude of obstacles. Chapters 2 and 3 lay out the three layers of obstruction to citizen security reform: political, institutional, and societal. Chapter 2 deconstructs these obstacles in detail, showing how they reinforce each other but also leave openings for innovative policy responses. It cites examples from a range of Latin American countries and provides comparative statistics and analysis from them. Presenting a theme that extends throughout this book, chapter 3 looks at these obstacles' roots in and impact on the nature of Latin American democracy. Drawing on historical patterns and contemporary developments, it demonstrates how the citizen security crisis distorts power, physically divides countries, damages civil societies, and makes reform difficult. By detailing such links between security and democracy, chapters 2 and 3 help explain why reform is increasingly pivotal to the legitimacy of democratic regimes as well as to the stability of government itself. The “relationship between personal security and government is tautological,” argue Bayley and Shearing (2001, 30). “If people are not provided with protection at some minimum level, government is not considered to exist.”

Chapters 4–6 apply this analytical framework to three case studies: Honduras, Bolivia, and Argentina. In the impoverished Central American country of Honduras, the progressive internal security system has been under tremendous strain since its adoption in the late 1990s. In the Andean nation of Bolivia, also poor but far larger and more ethnically diverse, several governments have attempted bold changes to a security system that has become critical to national stability. In contrast to Honduras and Bolivia and most other countries in Latin America, wealthier and more industrialized Argentina has a federal structure in which each province (as in Mexico, Venezuela,

and Brazil) has its own police force and citizen security approaches. These three countries were chosen to serve as case studies for several fundamental reasons. First, they demonstrate the range of both obstacles to and opportunities for citizen security reform in three of Latin America's main subregions—Central America, the Andes, and the Southern Cone—and under contrasting societal, economic, and demographic conditions. Second, these countries' different political structures reveal weak points in governance that shape institutional functioning, daily policing, and attempts to improve them. For example, the centralized police of countries such as Bolivia struggle to balance national prerogatives with local demands, while states such as Argentina are characterized by a federal system that is problematic in terms of both citizen equality and state policy. Third, with distinct transitions from authoritarian rule, these countries put on clear display the ways in which up-and-down democratization harms both citizen security and citizen rights. More than most countries, these have undergone changes that have unleashed underlying tensions and revealed the potential in state-society relations. Elected presidents in all three countries have been turfed out of office in the current democratic era, resulting in a volatile mix of instability at the top and the promise of power at the bottom that has given citizens unprecedented forms of access—to both violence and policy organizing—for which they are often ill-prepared. In short, these three countries' stories depict all the faces of the region's citizen security crisis.

Each case study is structured as follows: (1) a description of the history of policing in the country profiled and an overview of national trends in crime and violence, followed by descriptions of the citizen security structure and the main areas of reform; (2) an examination of the obstacles to citizen security reform, outlined in chapter 2, focusing on those most relevant; and (3) a review of the enacted or potential ways, primarily through regional or local initiatives, in which to overcome such obstacles. The case studies also look at the question of democratization and its relationship to citizen security. Although each of these three countries—like the rest of Latin America—began its transition toward democracy in the 1980s, their histories of authoritarianism and patterns of democratization have been very different, thereby affecting citizen security in distinct and path-changing ways.

Chapter 7 applies this theoretical and empirical material to the future. Examining policy from a comparative perspective and in the context of Latin American democratization, it develops recommendations for overcoming obstacles to citizen security reform. It describes strategies from different countries—such as Chile, Colombia, Costa Rica, Uruguay, and

Venezuela—that help overcome the political, institutional, and societal obstructions in areas ranging from national-level education to small pilot programs. As this book portrays, such approaches are often most manageable at the local level, where officials can take advantage of decentralization, the neighborhood connections they have developed, and the failure of traditional policies to enact creative programs. In fact, some of the most notable results have emerged from some of the more violent and neglected areas, which are often the ones most receptive to new kinds of leadership and problem-oriented solutions. By discussing progress in unlikely places, chapter 7 highlights advances that were not expected because of their bleak environments, poor planning, low funding, and other problems. On the flip side, it also discusses programs that failed despite adequate support and funding.

The book's conclusion, chapter 8, brings these recommendations together with the rest of the book's case studies and theoretical frameworks. By outlining the many connections among reform strategies, obstacles, and experiences, it summarizes and steers the book's main points toward future research and policy needs.

Through this approach, this book describes ways in which to understand citizen security reform beyond specific policies, which are often abandoned or supplanted before studies of them are published. Because citizen security reform must outlast specific plans and governments, so should analysis of it. This book's framework also underscores the importance of resisting the demarcation of citizen security policies as either successes or failures. "Success" implies a finality that history does not permit