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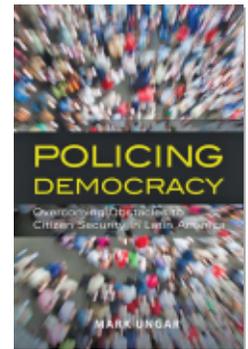
Policing Democracy

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Chapter 6

Argentina

On a routine patrol through his neighborhood, a police officer in La Rioja Province rapidly ticked off his needs. "If health services worked with the police on substance abuse, if neighborhood centers worked with us on documenting 'uncivil' behavior, and if the courts processed cases more quickly," then, he was sure, his district's residents would feel and be more secure. Although such cooperation remains way off, awareness of it by the police signifies a sea change for citizen security in Argentina. In a country that spent the twentieth century under repressive dictatorships and tumultuous democracies, a move toward problem-oriented policing has been welcome but fitful. Indeed, contemporary Argentina is a patchwork of police practices and changes. From its twenty-three provinces have emerged some of the world's most advanced legal codes and some of its worst police abuses. Such diversity makes Argentina among the most instructive examples of police reform in Latin America.

This chapter analyzes the political, functional, and legal obstacles to some of the key changes that have been under way in different regions of the country since the 1983 transition to democracy. In the years since the ambitious but politicized and largely unsuccessful reforms of the 1990s, only a handful of provinces have enacted major citizen security reforms, each of which has been dealt major and ongoing reversals. But these difficulties reflect the willingness of the provinces to confront directly the conditions discussed in chapter 2 by restructuring police forces and putting citizen participation front and center. Together, those experiences have helped reformers anticipate obstacles and learn how to steer clear of them.

The reigning citizen security paradigm up through the 1990s in Argentina was a centralized, arrest-based response to crime. But as this approach be-

came increasingly removed from the socioeconomic conditions that caused crime, problem-oriented reforms were gradually enacted. Those changes fall into three main categories. First, many provinces restructured their police forces to make them more efficient and less militarized, such as through flatter hierarchies and decentralization. Second, most provinces also enacted new penal process codes to transfer investigative power from the police to the prosecutors, replace written trials with oral trials, and create new courts. In the third and most ambitious change, community policing programs were tentatively developed at the local level to empower citizens to work with police in identifying and addressing the causes of crime through citizen councils, neighborhood police modules, and community justice centers. In addition to their basis in earlier failures and weaknesses, one common characteristic of these otherwise different reforms is that they have opened up policing and security to public scrutiny and debate. Thus even as these changes are slowed by political, financial, and institutional obstacles the citizen participation they have encouraged will help the country move past the division between traditional and problem-oriented policing.

This chapter is divided into two parts. The first part is an overview of citizen security at the national level, which begins by describing the course of federal policy since 1983. It then turns to changes in Argentina's Federal Police (Policía Federal Argentina, PFA), which is responsible for federal crimes (such as drug trafficking) throughout the country and for all law enforcement in the autonomous federal district of Buenos Aires (hereafter Capital Federal). The second part of the chapter describes citizen security reform in the provinces, which are often overlooked despite being active laboratories of policy innovation. After an overview of patterns and obstacles around the country, this section then turns to the three provinces—Buenos Aires, Mendoza, and La Rioja—that have adopted the country's most comprehensive citizen security renovations, but with outcomes that reflect the institutional and political pitfalls of most kinds of reform in Argentina.

Along with Brazil and Mexico, Argentina has attracted a substantial number of studies of police practices and reform. For example, Donato (1999), Burzaco et al. (2001), and Ragendorfer (2002) have described the extensive corruption and violence among the police, particularly in the province of Buenos Aires, while others, such as Sain (2001) and Vallespir (2002), have used reports of that abuse to develop recommendations for change. Few studies, though, incorporate and tie together trends in crime and criminal policy at the provincial and local levels around the country. Rather than point out the problems of a specific police force or security plan

this chapter looks at how provincial and local citizen security initiatives are helping to push the country toward problem-oriented policing. Because the innovations of and obstacles to police reform are clearest at the subnational level, they best reveal the prospects for change in Argentina as a whole.

Citizen Security at the National Level

In a national history shaped by internal strife, Argentina's police have been pivotal. In the colonial era and the civil wars following independence from Spain the police were boosted by regional strongmen (*caudillos*) in their endless battles with each other. Even as constitutional rule was established in the mid-1800s, the police gained more discretionary power, such as through the 1868 and 1888 penal codes that gave the PF A the power to detain people based on suspicion of criminal intent. At the turn of the twentieth century, police agencies again became a key instrument of political and social control. Amid industrialization and a huge wave of immigration, the police were used to crack down on the country's increasingly active unions and socialist organizations. For example, the infamous "Tragic Week" in 1919 in which a violent army crushed a metalworkers' strike began with police intervention in a labor strike. After the military took power in 1930, it widened and institutionalized police authority through executive decrees, ordinances, and "regulations." Most of these edicts were applied as well during periods of constitutional government, such as those of Juan Domingo Perón (1946–55) and the brief Radical-led administrations in the 1960s over which the military held much sway. Police abuse then reached a climax during the 1976–83 military dictatorship (a period commonly known as *El Proceso*, short for the military's self-proclaimed title of *El Proceso de Reorganización Nacional*), which killed or "disappeared" up to thirty thousand people, utilizing a repressive security apparatus that included provincial and federal police agencies (Rock 1985, 363; CELS and Americas Watch 1991, 7).

Because of such repression, human rights were the primary target of reform after the 1983 transition to democracy. The Radical Party government of Raúl Alfonsín (1983–89) strengthened civil rights protections while improving police training, tightening internal discipline, and replacing top PFA officials. During those first years of democracy, several provinces adopted new penal process codes, streamlined police hierarchies, and enacted police-community measures such as civilian boards. Many provinces also purged their police forces. San Luis conducted a "deep depuration" that rid

the force of more than a hundred officers involved in the dictatorship's abuses and retired a further six hundred, according to the minister who helped oversee the process. Like other provinces, it also overhauled education in order to demilitarize and "democratically professionalize" the police.¹ Aside from such actions, however, the police as institutions were spared from major scrutiny in most provinces. Their structures and authorities remained largely intact, and in some cases fortified by military officials finding postdictatorship positions within their ranks. In addition, mainly because of Peronist obstruction in the National Congress and the economic crisis of the mid-1980s, early reforms of the police were not used as a platform for long-term structural change.²

The 1989–99 government of Peronist Carlos Menem then moved in the opposite direction by building up the national security apparatus and encouraging a policy of *mano dura*. For example, in the wake of the 1994 bombing of the Jewish Community Center, it created by decree—despite opposition from the police themselves—the powerful but short-lived Secretariat of Security and Community Protection (Secretaría de Seguridad y Protección a la Comunidad), which brought together all federal forces under direct executive control with greater powers such as formation of special units. The government also named former Proceso officials to top positions and promoted wide powers for police agencies, such as allowing them to stop crime in the "pre-criminal" state.³ Even after nearly a decade in office the president insisted that a policy of *mano dura* was the only way to respond to crime. "Zero tolerance. Iron fist. There is no other option, no other," he insisted, adding that "human rights organizations may scream to the sky, but here I believe that delinquents have more rights than a police officer or the people."⁴ With the president and his party dominating national politics for most of the decade, Menem's approach was copied by most governors at the time as well. Legal controls over the police usually came only in response to specific incidents of abuse or as part of larger political deals

1. Héctor Torino, former minister of government and education, San Luis Province, interview by author, San Luis, August 5, 2002.

2. Jorge Bacqué, Supreme Court magistrate (1985–90), interview by author, Buenos Aires, December 6, 1996.

3. For example, Carlo Aurelio Martínez, principal assessor to Emilio Massera, a leader of the dictatorship, was named head of immigration, and Col. Óscar Pascual Guerrero, who operated several detention centers, was named head of the intelligence service. A detailed description of Menem appointments can be found in Andersen (2002).

4. Agenda Abierta, "Menem: No queda otra salida que la mano dura frente a la inseguridad," *Clarín*, September 13, 1998.

between the parties.⁵ However, substantial changes were made in the judiciary. In particular, the penal process code received a long-needed overhaul in 1992 that simplified criminal procedures and strengthened the *Fiscalía*

The government may have tightened its grip on security, but it loosened control in most other areas. Menem's neoliberal policies, among Latin America's most extensive, fundamentally altered the traditionally patronistic Argentine state through deep spending cuts, privatization, decentralization of basic services, and a fixed exchange rate. As the decade wore on, though, this approach led to record rates of unemployment, poverty, inequality, and crime.⁶ Between 1991 and 2004 the percentage of people under 18 below the poverty line rose 30 percent, reaching a high of 67.9 percent in 2002.⁷ In 2002 nearly 77 percent of students did not finish high school, and only 40 percent completed primary education.⁸ Meanwhile, the crime rate doubled between 1992 and 1999, and violent crimes rose 65 percent between 1994 and 1999. In 1980 there were 800 crimes per 100,000 inhabitants, and in 1999, 2,904 (more specifically, the crime rate per 100,000 persons was 1,484 in 1991, 1,650 in 1993, 2,043 in 1995, 2,288 in 1997, 2,904 in 1999, 3,712 in 2001, 3,356 in 2003, 3,127 in 2005, and 3,095 in 2007).⁹ Although few Argentines wanted to return to the dictatorship ruling the country in 1980, rising insecurity during democratization fueled pres-

5. In 1991 the death of a 17-year-old in a police station prompted the legislature to modify the PFA Organic Law (*Ley Orgánica de la Policía Federal Argentina*) to allow detention only for a reasonable suspicion of criminal activity (or inability to produce identification), and to reduce from twenty-four hours to ten hours the maximum time allowed for such detentions. Menem vetoed the modification, arguing that ten hours was not enough time for an adequate investigation, but his veto was overridden by the legislature. Passed in November 1994, Law 24390 prohibited preventive detention for more than two years—a limit that continues to be routinely superseded.

6. The percentage of Argentines below the poverty line rose from 22 percent to 43 percent between 1990 and 2000, and the number of homes lacking some basic needs rose from 7.1 million in 1980 to 8.56 million in 1991. After the 2001 economic collapse, 58 percent of Argentines were below the poverty line and 28 percent were in extreme poverty. Daniel Muchnik, "Una herencia difícil de resolver," *Clarín*, April 27, 2003. Of the country's ten million people between the ages of 14 and 24 (35.6 percent), 70 percent were poor (Dirección General de Prevención Comunitaria de la Violencia 2004).

7. National Institute of Statistics and Census (Instituto Nacional de Estadísticas y Censos, INDEC), June 2004.

8. National Office of the System of Information, Evaluation, and Monitoring of Social Programs (Sistema de Información, Evaluación y Monitoreo de Programas Sociales, SIEMPRO), 2002, <http://www.siempro.gov.ar>.

9. MJDH, "Evolución Anual de Hechos Delictivos registrados," <http://www.jus.gov.ar/areas-tematicas/estadisticas-en-materia-de-criminalidad.aspx>.

tures on elected officials to clamp down. In 2000, 39 percent of the population reported being victims of crime, and violent robberies rose from 12 percent to 15 percent of crimes between just 2000 and 2001 (Sain 2004, 131).

With majorities of up to 86.2 percent reporting feeling insecure, demands for tougher policing also grew during this period (Dammert 2000, 11). In response, the police made more arrests, mainly for property crimes and misdemeanors.¹⁰ But these arrests had little impact because of a lack of general improvement in the criminal justice system. Less than 2 percent of violent crimes led to convictions, and less than a fifth of federal prison inmates at the time were incarcerated for serious offenses. In fact, a 2005 government review revealed that over fifty of every hundred cases in federal court were drug crimes, almost all of which were less serious than unresolved cases of corruption.¹¹ And while the crime rate zoomed up in the 1990s, the number of criminal sentences rose only gradually, from 16,049 in 1989 to 18,377 in 2001 (INDEC 2000, 38). Agencies such as the Justice Ministry's Office of Criminal Policy were hampered by poor information and infrastructural support. Because "the larger criminal policy and its normative and sociological approach have not changed" since the predemocratic era, its director pointed out, "those who commit minor crimes are the only ones caught in the penal process's selectivity."¹² Such ineffectiveness was further highlighted by the rapid growth of crime, which nearly tripled from 498,290 crime reports in 1993 to 1,218,243 in 2007. Crime increased in complexity as well. In the Capital Federal, for example, the PFA struggled with sharp increases in arms use as well as of violent carjackings, the latter becoming one of city's principal causes of homicide. Ad hoc measures such as personnel changes had little effect, because the police "themselves demonstrated an enormous capacity to reproduce patterns that perpetuate their own corruption and inefficiency" (Senado de la Provincia de Buenos Aires 2002, 238, 242).

Not surprisingly, citizens grew less confident in the police over the 1990s, with police officials in the three provinces examined in this chapter (Buenos Aires, Mendoza, and La Rioja) estimating that only about 30 per-

10. In 1988, of the 480,617 criminal charges, 317,239 (66 percent) were for crimes against property; in 1992, 247,666 (59.6 percent) of the total 416,125 criminal charges were for property crimes (Instituto Nacional de Estadísticas y Censos 1994, 763–69).

11. Paz Rodríguez N. and Gabriel Sued, "La justicia, saturada por delitos menores," *La Nación*, February 21, 2005.

12. Mariano Ciafardini, national director of criminal policy, interviews by author, Buenos Aires, October 18, 1994, and June 18, 2004.

cent of victims were reporting crime. As elsewhere in Latin America, rising crime fueled two contradictory pressures: for more *mano dura*, on the one hand, and for more accountable police, on the other. The *mano dura* usually came first, stoked by the public's fear and by the country's slow criminal justice systems.¹³ But when it did not lead to the expected results, this tough approach itself came under scrutiny often leading to more preventive policies that also were slow to demonstrate results.

As the media began reporting on police abuses and scandals more assiduously, Argentines began to believe that the police were too corrupt, complacent, and violent to be effective. Those beliefs fed society's larger rejection of the state policies accompanying the political and economic collapse in December 2001, when police killings of protesters precipitated the resignation of President Fernando de la Rúa. Four interim presidents then took office in quick succession, and relations between provincial and federal officials broke down. In response, grassroots civil society organizations began to take up the slack on issues ranging from poverty reduction to gender equality. Governors, desperate to distance themselves from the chaotic national scene, began to encourage (and be affiliated with) community participation and institutional accountability on policing. But the country's dire economic straits often caught up with them quickly. Even with strong backing, most reforms adopted at this time were undermined by financial limitations, police resistance, lack of training, and ongoing citizen suspicion of anything sponsored by political elites. In many provinces the disappointing results then led to calls for both a deepening of these reforms as well as a return to a policy of *mano dura*, taking them back to square one of the dilemma between the two approaches.

National Crime Prevention Plan

In this environment of policy stalemate in most provinces, and as the 2001 economic collapse heightened fears around crime, much of the pressure for change fell on President Néstor Kirchner, who entered office in 2003. Trying to forge new ground on policing and criminal policy, Kirchner purged 107 top PFA officers during his first year in office—and pressured province of Buenos Aires to do the same. In April 2004 the administration breathed new life into the National Crime Prevention Plan (Plan Nacional

13. Despite the rise in crime after the 1980s, criminal sentences in Argentina declined from 19,764 in 1983 to 18,377 in 2000.

de Prevención del Delito), an ambitious fusion of social programs, tougher punishment, state agency overhaul, and problem-oriented law enforcement that would be implemented through accords with cities and provinces. Its proposals included a new crime mapping system, a twelve thousand-office Federal Investigations Agency (based on the U.S. Federal Bureau of Investigation), citizen boards to evaluate police promotions, and the replacement of many police chiefs with elected civilians. But the plan's main thrust, say its directors, was prevention, centered on poor urban areas, such as through the Vulnerable Communities Program, and on support for at-risk groups, such as through scholarships to bring an estimated fifty thousand teenag dropouts in "critical areas" back to school.¹⁴ Many of these plans had been run out of the Ministry of Labor and the Ministry of Social Development, which were now working with the Ministry of Justice, Security and Human Rights (Ministerio de Justicia, Seguridad y Derechos Humanos, MJSDH) on the plan. The plan also included judicial reforms, such as creating new juvenile courts, introducing jury trials in many criminal and corruption cases, and moving some judges and prosecutors out to the neighborhoods. In addition, out of the spotlight the federal legislature was being more diligent about forging long-term plans. For example, several members of the Senate wanted to use their legislative power to push for national models and standards.¹⁵

These and other projects continued under Cristina Fernández, Kirchner's wife and successor, who was elected president in 2007. Such continuity was facilitated by evaluation mechanisms included in the initial plan, which, as the next chapter discusses, are central to making the adjustments that any reform needs. Policies also incorporated broad social concerns such as public space and youth, which, as chapter 3 discussed, are often left out of legislation. Through this combination of prevention, structural overhaul, and attention to social conditions, the plan's ultimate goal was nothing less than "the transformation of the police" and creation of a "new culture of urban security," which were larger than the sum of the plan's otherwise disparate parts (MJSDH 2004, 5).

Although the National Crime Prevention Plan has been the country's boldest and most comprehensive security plan since the democratic transi-

14. Officials, Subsecretaría de Política Criminal y Asuntos Penitenciarios, Ministerio de Justicia, Seguridad y Derechos Humanos, interviews by author, Buenos Aires, August 22, 2002.

15. Senators Marita Perceval of Mendoza, Rubén Giustiniani of Santa Fe, Vilma Lidia Ibarra of Federal Capital (Ciudad Autónoma de Buenos Aires), and Diana Beatriz Conti of Buenos Aires, interviews by author, Buenos Aires, August 3, 2005.

tion, it has faced deep political, legal, and functional obstacles. First, support by even popular presidents like Kirchner did not translate into support for the plan because, as in other countries, an impatient public is more inclined toward proposals that appear tough and immediate. In a bout of bad timing, an upsurge in the demand for such proposals came on the heels of the government's 2004 rollout of the plan. In March of that year the kidnapping and killing in Buenos Aires Province of 23-year-old Axel Blumberg led to a protest rally in the Capital Federal that drew nearly 200,000 persons. In response, the legislature enacted a series of hastily drawn-up laws that, among other things, lowered the age for criminal liability and toughened the sentences for murderers, kidnappers, and rapists. Because the government had not yet announced its own long-term plan, it went back to the drawing board, thereby fomenting perceptions that it was being unassertive and unclear. It was also upstaged by a wave of robberies that led the city to demand two thousand more officers, opening up a channel for criticism of the government's earlier purges that reduced the size of the force. The growing frequency and tensions of the protest marches by the unemployed and other social movements—whose confrontations with the police hastened the downfall of the two previous presidents—also put the government on the defensive. Although 97 percent of those polled said that the April protest was not directed at Kirchner, disagreement between the police and the government led to the resignation of the PFA chief and the president's dismissal of the minister of justice, security and human rights, who headed up the plan's formulation. Reform was further delayed and confused by the transference of the PFA between the MJSDH to the Interior Ministry along with the political isolation of the officials behind the National Crime Prevention Plan. Executive politics also played an outsized role. One of Fernández's appeals as a candidate was association with her husband's popular record but not with the political enemies he acquired. On security, though, the opposite was true: the first lady, who as a senator had been involved in national politics far longer than her husband, had been a key figure in security policies since 2003 and had been central in the PFA purge.

The National Crime Prevention Plan and other federal initiatives were set back further by reluctant provinces, whose cooperation was needed for any country-wide policy. As Eaton (2008) and others have pointed out, competition and sabotage among the different levels of government are a perennial obstacle to change in Argentina. In fact, soon after the MJSDH announced the government's security plan, eighty security officials from all the provinces complained that it would intrude on their autonomy by al-

lowing federal forces in localities—a situation they were not disposed to allow. The provinces also objected to the creation of a Federal Investigations Agency that would have power throughout the country and to the plan's financing—despite the minister's assurances that the federal government would foot the bill—based on suspicion that it would come out of the “co-participating” funds through which the provinces received federal money.

Policía Federal Argentina

Reflecting the power and priorities of the federal government, the PFA has been one of the country's more consistently competent security agencies.¹⁶ But, according to officials such as a Proceso-era police chief, many of its repressive predemocratic tendencies survived the transition in the 1980s and were revived during the Menem administration.¹⁷ In a pattern seen in other provinces this continuation was facilitated by a lack of external control. The national Subsecretariat of Human and Social Rights had a limited impact on actual police practice, and the national legislature's bicameral commission overseeing the PFA did not monitor police practices much beyond investigations into particular abuses (Martínez et al. 1999). Starting in the mid-1990s, however, political pressure on the PFA increased after the Capital Federal attained provincial status, putting more progressive politicians in office. Combined with crime's growing extent and complexity, the newly minted province made the PFA one of the first police agencies in Argentina to face the larger choice between traditional and problem-oriented policing.

The initial focal points of these pressures—and of the PFA's power—were the twenty-three edicts that the agency acquired over its long history, giving it wide discretionary power largely free of court oversight. Allowing detention for behaviors ranging from “scandal” to “drunkenness,” these edicts became a basis of the PFA's daily policing. Well over half of PFA activity involved edict violations. For example, of the some 240,000 annual detentions in the Capital Federal in 1995, the last year the edicts were fully in force, over 150,000 were for edict transgressions, 50,000 for verification of identity, and 40,000 for suspicion of an actual crime (*delito*).¹⁸ A lack

16. Along with smaller federal forces, such as the Gendarmería, officials estimate Argentina has about 140,000 national police personnel.

17. Valentín Espinosa, top-ranking PFA officer until his retirement in 1983, interview by author, Buenos Aires, August 21, 2002.

18. “Se cuadruplicaron las detenciones por edictos,” *La Nación*, September 8, 1996, 15.

of juridical control enhanced the edicts; less than 1 percent of arrests under them were appealed, and of that number almost all were repealed.¹⁹ But when the Capital Federal became a province, its 1996 constitution abolished the edicts and instantly deprived the PFA of its operational foundation. Amid the growing rivalry between the national Peronist government and the city government headed by the opposition Alianza and Radical Party mayor Fernando de la Rúa, the president and the PFA vociferously opposed the change. In particular, they attacked the city's 1998 Código de Convivencia (Coexistence Code), enacted to replace the edicts, and they condemned it for tying the police's hands as well as for promoting vices such as prostitution and drug use. Such criticism resonated strongly with the fearful middle class, and more broadly, it associated reform with immorality, violence, and cultural change. Using his powers of decree, the president then reinstated the edicts through decree, thereby making the federal dominance clear but further straining national-local government relations. The edicts "were very effective," insisted one officer from the PFA's public outreach Office of Police Agreement (Oficina de Convenio Policial) and he blamed the "great ideological differences" with the city government. "This problem of guaranteeism," he insisted, has been "overcome in other countries."²⁰

When de la Rúa was elected president in 1999, he initiated change by enacting new anticorruption laws and by backing community policing programs. As in the 1980s, though, a mounting economic crisis put long-term reform on the back burner. Political and economic stabilization since 2002 have opened up new spaces for reform, but they have been accompanied by some of the same obstacles that earlier slowed down the national plan. First, the concurrence of crime patterns and functional jurisdiction in the Buenos Aires area has obscured their connections and neglected the needed cooperation. The city of Buenos Aires, which has about three million residents, has a lower crime rate than the surrounding urban belt, known as the *conurbano*. That belt, which is in the province of Buenos Aires, contains about nine million people who suffer from high poverty rates and a homicide rate that is about four times than that of the Capital Federal.²¹ Although the capital and the *conurbano* form a single urban area with similar patterns of crime, the three mutually suspicious governments that run them have not

19. Ibid.

20. Anonymous office, interview by author, Buenos Aires, May 26, 2004.

21. "Solá anunció que bajó el delito, pero le preocupa la sensación," *Diario La Unión* (La Plata), July 15, 2004.

sufficiently developed common criminal policies and operations.²² There is also scant coordination between the police and social services on problems such as drug abuse, a basis of problem-oriented policing. Finally, even though official homicide and overall crime rates declined after 2003, casting doubt over that figure is the estimate by officials that about 70 percent of crime victims in metro Buenos Aires do not file police reports. Nearly half of those who did file reports said they believed that nothing would be done anyway (Sain 2001, 137), reflecting but also perpetuating criminal justice's lethargy.

Such inadequacies, along with the national economic disintegration, prompted an assertion of local power. Since the late 1990s federal authority had gradually given way to local moves toward problem-oriented policing, including the formation of an unarmed "Urban Guard" and a network of security coordinators and forums in each of the city's eight administrative districts to allow residents to identify and respond to sources of insecurity. The Capital Federal's first official community policing program was launched in 1997 when the city government promoted the formation of neighborhood Crime and Violence Prevention Councils as part of the city's Program for the Prevention of Crime and Violence. These councils would allow residents to translate their security concerns into policy. Following suit, and responding to continuing demands for community policing, in 2004 the PFA, MJSDH, and city government created a Community Police Office (Dirección General de Policía Comunitaria) to oversee and develop community policing operations. A Buenos Aires City Community Police was created at the end of 2004. It began with a force of five hundred officers, with plans to expand to two thousand within four years. But the plan called for the entire force to consist of recent academy graduates and to put them in plazas and other public spaces. This program seemed designed for failure by marginalizing it to a particular sector of the police, staffing it with inexperienced personnel, and not empowering citizens in any real way.

As in Honduras, Bolivia, and other countries, a far more substantial move toward community policing has been society-driven. Much of that effort in Buenos Aires has gone toward forming neighborhood consortiums (*consorcios vecinales*) that cover almost the entire metropolitan area. The

22. After the 2004 rally Kirchner said that Buenos Aires Province had to go deeper in its police reform, prompting its governor, Felipe Solá, to assert that he would need "an extra one billion pesos" from the federal administration to deploy more police, but that he would go ahead on his own if the Kirchner government did not cooperate.

fifty consortiums formed have produced an impressive quantity of information about security issues, from public lighting to police corruption. The local government's Citizen Security Program (Programa de Seguridad Ciudadana), based on a 1997 decree, also began moving the basis of security from a police response toward citizen prevention, mainly through the establishment of Support and Participation Centers (Centros de Gestión y Participación) that initiated two problem-oriented initiatives. The first initiative was made up of Neighborhood Councils of Crime and Violence Prevention (Consejos Barriales de Prevención del Delito y la Violencia) composed of residents, business owners, NGOs, and institutions such as schools and hospitals in the zone, along with representatives from the Support and Participation Centers, the Citizen Security Program, and city social services. These councils help residents document and correct the causes of crime in their area, improve relations with the police, reduce conflict help at-risk groups, and, using different sources, draw up crime maps. The second initiative was composed of the Body of Neighborhood Auxiliaries (Cuerpo de Auxiliares Vecinales), which work closely with the centers and councils to direct crime victims to the appropriate services, submit requests to the city government on behalf of residents, pass along information about infractions and conflicts, and publicize helpful information

The initial responses to these programs were positive, which lowered the percentage of residents with negative views of the police and further encouraged participation (Dirección Nacional de Política Criminal, Ministerio de Justicia de la Nación 2001). One of the program's directors, by publicizing creative solutions to insecurity, provided a particularly strong boost of citizen trust in the program.²³ But as time went on, programs started to fray along geographic and class lines. In particular, the citizen security councils diverged in ability and influence, depending on the strength of neighborhood organizing. In areas with local groups, the councils became part of preexisting local networks experienced in making collective claims. In well-off areas such as Palermo, where long-established local groups already enjoyed good relations with the police and knew how to push demands through the city bureaucracy, the program fortified existing actions. By contrast, councils in areas without strong organizations or political connections complained that their efforts to convince the police to address problems specific to their areas were not making headway. For example, in

23. Claudio Suárez, Jefe, chief, Programa de Seguridad, interview by author, Buenos Aires, May 27, 2004.

the partly industrial zones of Constitución one kiosk owner who had been trying to organize others to reduce nighttime robberies said that the local station had not been particularly responsive. Officers at the local station Comisaría 8, responded that their hands were tied by headquarters, which controlled resources and sent their own officials to conduct investigations. Such a response was in part an excuse, because police in other low-income areas, such as Comisaría 32, said that they could act freely. What seemed to be a more accurate underlying explanation was that most police lacked guidance from above on how to deal with residents. In a 2004 citywide evaluation, described shortly, Comisaría 8 was rated one of the ten worst *comisarias* in terms of residents' sense of insecurity, and nearby Comisaría 18 was also ranked among the ten worst. But two other *comisarias* in the vicinity, 10 and 20, scored in the top ten. This proximity of areas with similar socioeconomic conditions but different resident opinions would have been a good basis for a comparative study of PFA activity. As the next chapter emphasizes, such an evaluation is central to problem-oriented policing, but is often the most neglected stage of reform. And without the consistency that evaluations help bring, the common response from residents of these working-class and commercial areas was then withdrawal from participation or renewed claims for traditional policing.²⁴

The PFA's weak grasp of problem-oriented policing originated in its academies for both top and subcommissioned officers. These schools are better than most provincial academies, but, like them, tend to focus more on physical preparation and formalistic knowledge than on analysis and discussion of criminal policy and social conditions. Moreover, according to several PFA officers, heads of the subofficial police academies (Escuela Suboficiales and Escuela de Cadetes) embezzle many of the funds earmarked for firearms, so that cadets graduate without sufficient training this basic necessity. This situation accounts as well for the capital's high rate of killings of police and civilians²⁵ Indeed, just fifty-four PFA officers were killed between 1990 and 1999, but well over a hundred were killed in each

24. Milko Radzic, interview by author, Buenos Aires, August 19, 2002; officers PFA Comisaría, interviews by author, Buenos Aires, August 20, 2002.

25. Police officials, Academia de la Policía Federal Ramón L. Falcón (Ramón L. Falcón Federal Police Academy), interviews by author, Buenos Aires, May 27, 2004; Escuela Federal de Suboficiales y Agentes, Comisario General Alberto Villar (Federal School of Subofficial and Agents, Commission General Alberto Villar), interview by author, May 28, 2004.

of the three following years.²⁶ In the capital, between 1996 and 2002 the number of civilians killed by police rose by 89 percent, and the number of police killed rose by 132 percent. Reflecting the particular insecurity of youth, 522 persons under the age of 21 were killed by security forces in the Buenos Aires metro area between 1996 and 2004, 36.4 percent of them by the PFA and 58.6 percent by the provincial police (López et al. 2005, 6). Rather than poor training, vague use-of-force regulations are cited more often by top officials to explain such high rates.²⁷ Nevertheless, the government has generally expanded the PFA's use-of-force power, such as its approval in 2008 of the use by elite PFA officers of "dum-dum" bullets, which have been criticized by the UN as dangerous and by other city police as ineffective. Thus, although changes such as CompStat have helped city *comisarias* better track crimes in their neighborhoods, a dependence on force often overshadows their ability to use those statistics to better discern and integrate analysis of crime's causes and patterns into their daily work.

This combination of police violence and inadequacy is particularly marked in the Capital Federal's twenty-one *villas* (shantytowns)—often referred to as *villas de emergencia*—which often have noticeably fewer "incident" pins on many *comisaría* crime maps, even though they clearly have higher crime rates than the surrounding areas. Local officers also seem to downplay some of the larger patterns of insecurity. At an informal meeting in the low-income Illia district, residents recited a long litany of problems such as poor health clinics, illegal construction, and "putrid streets filled with piles of garbage." One resident who commented on all-night drunken revelries said that the *Fiscalía* would use the *Código de Convivencia* to come in and disperse offenders, but that there was no real preventive intervention or follow-up.²⁸ As in La Paz and other cities, people in poorer areas presented a larger picture of insecurity in which they could identify the most dangerous streets, practices, and hours of the day. However, the police assigned to the area preferred to talk about particular suspects or incidents. In some cases, this lack of engagement was rooted in the same frus-

26. Policía Federal Argentina and Juan Carlos Li Rosi, high commissioner, PFA, interview by author, Buenos Aires, August 20, 2002.

27. Article 97 of the PFA Organic Law says that police may use force "each time it is necessary to maintain order, guarantee security, impede the perpetration of a crime and in all other acts of legitimate exercise."

28. Residents, Illia district, interviews by author, Buenos Aires, June 22, 2004, and July 19, 2007.

trations that citizens faced. For example, one police officer in Comisaría 3 talked about how many of the blocks in the high-crime Zona Zabatela were unmarked and dark, making patrols too hazardous, and how the constant influx into an already overcrowded area had made community relations too difficult.²⁹ In a reflection of the police's low profile, residents in these areas talked about how they usually saw officers only during special operations or when operating their own corruption schemes.³⁰ Residents in Ciudad Oculta said police would come in only once between the high-crime hours of 6:00 p.m. and 12:00 a.m.—and then only because of a change in shift.

In this fertile ground the roots of crime sink deep. One of the most evident causes of criminal violence in the city's *villas* is the highly doctored, smokable form of cocaine known *aspaco*. Since early 2003 much of the cocaine being smuggled into Argentina from Peru and Bolivia has been mixed with toxic chemicals and sold for a little over a dollar a hit. As a result, the addiction rates among young people and the levels of property crime have skyrocketed, from 327,722 crimes in 2001 to 711,987 in 2007.³¹ And yet despite many meetings with concerned-looking officials, a coherent police response has been slow to form, forcing many residents to seek out social services outside the area to help addicts, victims, and their families. Like a complementary form of traditional policing, residents also band together to attack or expel *paco* traffickers and dealers.³² In early 2009 a group of residents convinced the federal government to conduct a series of raids that both seized large stores of *paco* and closed many of the residential kitchens that produced them. But without concerted efforts to coordinate policing with social services, the short-term results of such traditional policing tactics will eventually lose out to *paco* networks learning how to evade them. The same is true for other forms of violence. In Ciudad Oculta, for example, some residents proudly proclaimed their membership in the Amazons, a group of women who gather and clap loudly in front of homes where domestic violence is known to take place. But without social service intervention or police protection, the results are likely to be short-lived.

29. Comisaría 32, interviews by author, Buenos Aires, June 23, 2004.

30. Padre Luis Farinello, Fundación Farinello, Quilmes, Buenos Aires Province, interview by author, May 22, 2004.

31. MJSDH, "Evolución anual de hechos delictivos registrados," <http://www.jus.gov.ar/areas-tematicas/estadisticas-en-materia-de-criminalidad.aspx>.

32. Author meetings with neighborhood groups in Ciudad Oculta, Buenos Aires, May 23–24, 2004, and July 18, 2007.

For police officers, using the city's community policing network to address such problems would be a good opportunity to develop innovative power. Many of the needed elements are in place, from willing residents to a supportive local government. But promotion in the PFA downplays such initiative. Rather than positive actions or specific skill development, moving up in the ranks of the PFA depends almost entirely on an officer's academy exam score and whether he or she has done anything that might offend, overshadow, or otherwise bring unwanted attention to higher-ups. Street officers largely monitor a single corner, without proactive law enforcement training from their supervisors.³³ Several officers said that even though they are relieved that their superiors only occasionally check in on them during their shifts, the sporadic and cursory nature of those interactions also leaves them feeling directionless and unprotected. Even when a crime occurs, officers are shunted aside. We are just "garbage men to clean up crime scenes," concluded one *subcomisario* in Comisaría 11. Among the lower ranks, formal promotion mechanisms are not much clearer. The form used for ascension is just a single page, without questions about the agent's real policing work. As a result, officers are exposed to very little skill development in their stations.

Human resources are also poorly managed. Less than one-third of PFA officers are in the street at any given time, leading to sparse coverage in many areas.³⁴ And officers complain about the lack of financial and logistical support, especially about salaries that average just 500 pesos (under \$200) a month for the lower ranks and 1,700 pesos (under \$600) for *comisario*. But the misdirection of funds appears to be a bigger problem than their absence. As in other countries, police control over budgets and procurements has long generated corruption networks in the PFA. In the stations, street agents collect funds for station commissioners, who give part of the proceeds to the regional commissioner.³⁵ Police control over the legal side of internal affairs leads to similar problems, especially slow or nonexistent investigations into police wrongdoing. In fact, the head of the main legal affairs office, General Autonomous Office of Judicial Affairs (Dirección General Autónoma de Asuntos Jurídicos) says he does not have sufficient

33. Commissioner, subcommissioner, and two subcommissioned officers, Comisaría 32, interviews by author, Buenos Aires, May 25, 2004.

34. Fernando Simón, Subsecretaría de Coordinación e Innovación, interview by author, Buenos Aires, May 26, 2004.

35. Police officials, Escuela Policial Falcón de Oficiales A, interviews by author, Buenos Aires, May 27, 2004; Villar, interview.

personnel for the constant backlog of cases. Even judges—who also have little trust in the judiciary—continually send him additional cases to investigate.³⁶ Indeed, many top executive officials say of the record that well over 80 percent of top officials are corrupt, but that they lack the information and power to prosecute most of them.

Most accusations of abuse by lower-ranking PFA officials are handled by their superiors, who respond with warning, arrest, dismissal, or exoneration. Although many officers say these rules appear fair on paper, their application often violates due process. For example, in the PFA and in the police forces of other provinces, accused officers complain that they are not given access to all the documents and that their own defense does not pull together and present all the possible supportive evidence. Hidden punishments outside the disciplinary code are also widely used by the higher ranks, such as undesirable assignments to violent neighborhoods or mass events. Lower-ranking officers say that any charges they manage to bring against either their superiors or civilian officials are not received in an impartial manner.

The upper ranks also feel aggrieved. For example, almost the entire top echelon of the PFA was angered by Kirchner's dismissal of 107 of their colleagues.³⁷ Some of those who were fired "were very good police, but we did not know why they left," said one official, concluding that the president's action was a "political response to a political problem without really knowing the causes." (Executive officials responded that at least 30 percent of those fired were processed through Internal Affairs.)

Despite this tension, the PFA has been promoting specific and effective solutions. The chief of one of the training schools, acknowledging that "we have lost a lot of time" because of a lack of courses in areas such as prevention and drugs, said that the schools were creating tougher entrance requirements, carrying out detailed individual reviews during academy training, and offering more opportunities for serving officers to study. Perhaps most significant, greater attention has been given to use-of-force practice—"to shoot only in extreme conditions"—and to arranging meetings with

36. Alejandro Hayet, chief, Dirección General Autónoma de Asuntos Jurídicos (General Autonomous Office of Judicial Affairs), interview by author, Buenos Aires, May 24, 2004.

37. Author meeting with top-ranking officers (Plana Mayor) of the PFA, Buenos Aires, May 26, 2004. In that meeting each top official claimed that he could be fired without knowing why.

38. Comisario Inspector Andrés Valentín Schmitz, chief, Escuela de Suboficiales Agentes, interview by author, Buenos Aires, May 27, 2004.

victims of police violence.³⁸ Other PFA heads said that they had consolidated databases with officers' financial records, were improving cooperation with the provincial police, and, to make promotion more stringent, were carrying out "more profound" interviews and wider evaluations. Such evaluation has also been applied to policing overall. The MJSDH began an evaluation of the PFA's fifty-two *comisarias* using citizen surveys in June 2004, in particular offering both financial and professional incentives for those *comisarias* that brought down crime rates. The government also began to investigate wayward police officers using new methods—such as through new citizen channels or by not reassigning an accused officer to a position, which would force that officer to retire after two years. However, institutional and political obstacles reemerged to derail such initiatives. With the changes in minister and in the PFA's affiliation, the financial incentives for *comisarias* were ended. But the biggest change in Capital Federal policing was the formation in October 2008 of the Metropolitan Police under city control. Under Mayor Mauricio Macri, a conservative opponent of the Kirchners who was elected in 2007, the Metropolitan Police may finally give the city the edge in the long-standing metro tug of war over security. But it will still require navigating a difficult political and institutional terrain—a terrain also faced by reformers in most of the country's provinces.

Citizen Security Reform in the Provinces

Because it is a federal nation of highly autonomous provinces with their own police agencies, Argentina has more opportunities for reform than centralized states with only one police agency. It also has taken fuller advantage of those opportunities than the region's other federal nations—Mexico, Brazil, and Venezuela—where national and provincial politics have hampered change even more than in Argentina. As discussed in chapter 2, regional governments are smaller and closer to the population, and so theoretically they are better able to provide security and act as models for each other. But such a virtuous cycle is slowed in a federal system by politics that is usually more clientelistic and laws that usually are weaker at the provincial level than at the national level.

In Argentina, along with society's distrust of the entire political class, such an environment has stymied reform in all but a handful of provinces, and in those few change happened only after repeated failures and reversals. Change imposed from above is also unlikely. Although Argentina's na-

tional government has rarely refrained from wielding its power, it lacks the direct policy controls wielded by executives in countries such as Mexico, as well as the legal legitimacy to enforce standards like that enjoyed by the executive branch in the United States. However, after Argentina's 2001 economic collapse, changes in leadership opened up paths for pioneering reforms in different parts of the country. But the lack of financial and institutional support for these changes, as discussed earlier, resulted in frustration and second thoughts that mired many of these provinces in the same debate between traditional and problem-oriented models. Nevertheless, the surge in citizen participation around the country has sustained reform and helped some provinces emerge from the shadow of that debate.

Argentina's provinces are diverse. The four most populous ones—Buenos Aires, Santa Fe, Córdoba, and Mendoza—are heavily urban. Many in the Patagonian south are sparsely populated and dependent on natural resource extraction. The rest are largely rural and poor, concentrated in the north of the country. They have small political elites and largely state-employed labor forces. The per capita income of those provinces is only about half that of the urban provinces such as Córdoba and a third that of the Patagonian provinces such as Santa Cruz. Despite such differences, nearly every province experienced record rates of crime and insecurity as the country's economic crisis deepened during the 1990s. The number of crimes for every hundred thousand persons, which was fewer than two thousand during the mid-1980s in most provinces, nearly doubled between the late 1980s and 2003. The ever-increasing prison population, rising from 26,690 in 1997 to 55,423 in 2005, did not make much of a dent in the crime rate (Dirección Nacional de Política Criminal 2005). Police impunity also continued: of the 435 documented killings by police officers between 199 and 1998, only 10 percent were fully prosecuted.³⁹ Criminal justice and policy invariably came under greater scrutiny as a result of these trends, exposing the effects of low remuneration, poor training, weak discipline, and corruption among the police. But policy responses straggled behind. Political officials in most provinces had withdrawn from direct oversight of the police, often in an unspoken pact with the police to stay out of each other's business. In the absence of external oversight, policing practices and procedures were determined more by internal relations than by legal or state

39. Of these killings, the majority were in nine provinces: Buenos Aires, 105; Santa Fe, 54; Capital Federal, 44; Córdoba, 30; Mendoza, 27; Neuquén, 13; Corrientes, 11; Río Negro, 8; and Entre Ríos, 7 (CORREPI 2002).

guidelines. When pressure mounted to take action, officials who wanted to reengage then found it difficult to move things forward. Many provinces thus found themselves in one of reform's binds, with pressure on political officials to bring change peaking during a political crisis that diminished their ability to do so.

Despite these difficulties, policing based on centralized and repressive power gradually began to give way in different parts of the country to decentralization, institutional transparency, and community involvement. These changes began tentatively in the early 1990s and picked up steam toward the decade's end. Civil rights abuse in particular catalyzed change in Santa Fe, Mendoza, Neuquén, Córdoba, San Luis, and the city of Buenos Aires, spurring the establishment of internal affairs units, disciplinary bodies, ombudsmen, investigatory police units, and regional divisions for underserved areas. Most provinces also overhauled their security structures, often by creating civilian-led Ministries of Justice and Security and flattening militarized hierarchies. Provincial police agencies were often broken up into functional divisions—either into preventive and investigatory units or into separate security, judicial, transport, and specialized units. Others were further divided to correspond to the province's judicial districts, such as in Buenos Aires and Mendoza. Others took on long-avoided politicized controversies. For example, in 2005 in a move that defused serious internal strife, Chubut Province ended “extraordinary” promotions in its police force. Education was also rewired. Córdoba gave its academies new curricula and entrance requirements, and Buenos Aires, San Luis, and Mendoza created new police academies that stressed human rights and were administered by civilian specialists. Santa Fe has been a leader in advancing merit-based promotion, and several areas, such as the Capital Federal and Buenos Aires Province, have also followed the international trend of adopting computer crime mapping.

Thirteen provinces significantly reformed their judiciaries as well. Nineteen of them formed judicial councils to select and oversee judges, taking these powers away from the executive. In the early 1990s Córdoba enacted a highly rigorous selection process for judges and placed the judicial police under the Supreme Court, giving it some needed distance from the executive's political agenda. Most significant, eleven provinces revised their penal or penal process codes. Like other codes adopted around Latin America, those in Argentina's provinces limited police responsibilities to investigation under the direction of a strengthened *Fiscalía*, replaced long-standing written inquisitorial trials with oral accusatorial trials, and gave more invest-

tigatory power to judges, often in newly created courts for detainee rights and sentencing.

An even more extensive and innovative area of reform during this period was community policing. Together with the Capital Federal, seventeen provinces adopted community policing programs, most of them composed of citizen councils, neighborhood watches, and social programs for at-risk groups such as youth.⁴⁰ Buenos Aires, Chaco, Chubut, Córdoba, Entre Ríos, La Pampa, La Rioja, Mendoza, Río Negro, Santa Fe, and San Luis centered their community policing on security forums or other channels of community input.⁴¹ Many also incorporated forms of community or problem-oriented policing in their education. In 2008 Córdoba raised educational expectations for police academy cadets, while placing them in the *policías caminera* (foot patrols) during their first year on the force. Entre Ríos Province began offering community policing courses in 2001 for both the police and officials from municipal, education, and youth agencies. Some have made corresponding institutional adjustments—for example, Santa Fe created a municipal community policing council within its Government Ministry.

Such programs fare best when supported by structural alterations in both the government and police. In the late 1990s, for example, Santa Fe began forming Neighborhood Community Security Committees (*Juntas Barriales de Seguridad Comunitaria*) to promote discussion between police and residents, beginning in the capital city of Santa Fe and expanding into smaller municipalities (Rosúa 1998). The government created seven provincial offices headed by political appointees to oversee the police, improved recruitment through a more transparent selection process, and strengthened training through accords with universities for specialized education. It also eliminated the division between official and subofficials, held public forums to enable merit to replace internal favoritism for promotion to higher ranks, and inverted the top-heavy hierarchy by hiring more lower-ranking police and putting more of them on the street.

In many provinces, however, these changes were not followed through with the political push needed for institutional integration. As a result, they were often left to the mercy of new officials and unexpected events. For example, through a turbulent decade Salta managed to keep alive plans for

40. The following provinces have some kind of citizen security forum: Chaco, Chubut, Córdoba, Entre Ríos, La Pampa, La Rioja, Mendoza, Río Negro, Santa Fe, and San Luis. For Buenos Aires, see Martínez et al. (1999).

41. In Buenos Aires (Articles 11 and 12 of the Provincial Public Security Law) and Capital Federal (see Martínez et al. 1999).

structural changes such as combining the commissioned and noncommissioned ranks and strengthening cadet training. But these plans were scuttled when the main advocate of the changes, Vice Governor Raúl Wayar (1995–2007), lost the 2007 governor's race.⁴² Alternative plans were developed the next year, however, when Peronist members of the provincial legislature, criticizing the police for their approach to social conflicts, proposed a community police unit with the involvement of a wide range of agencies, and when the security secretariat turned a *comisaría* known for abuses against youth into a Unit of Minor Protection. Critics in the province argued that such changes would be cosmetic unless accompanied by a more in-depth analysis of criminal justice practices such as spying on political protesters, overcrowding the prisons, and bringing people to the police station just to check their police record (*averiguación de antecedentes*). Still, the idea of reform was strong enough to endure through changes in government and even in legislation itself.

Executive-level politics both stimulates and stalls security reform in many other provinces as well. In San Luis Province, a spurt of change took place in the 1990s under Gov. Adolfo Rodríguez Saá (1983–2001). Among the significant reforms enacted were the appointment of an ombudsman and a human rights commission, the fusion of the police into one unit, and the establishment in 1999 of a progressive new police academy, the University Institute of Integral Security (Instituto Universitario de Seguridad Integral, IUSI), under the Education and Culture Ministry to provide a three-year improved law-based curricula. The ombudsman made great headway on matters that contribute to insecurity, such as poor street lighting and high levels of air and water pollution in poor areas.⁴³ But, as elsewhere, a lack of backing dissipated the momentum initially behind such changes. San Luis's small political elite and the rigid hierarchies of the police, the *Fiscalía*, and other criminal justice bodies left little room for these new agencies to make policing more transparent. Within the police, the lack of salary increases and improvements in work conditions, symbolized by an obsolete schedule (twenty-four hours on the job followed by twenty-four hours of f) led to strikes and depressed morale. Moreover, the flattening of the police hierarchy from eighteen to six levels entrenched resistance, particularly by officials with more years of service and higher salaries who lost out in the new

42. Wálter Raúl Wayar, vice governor, Salta, and Gustavo Ferraris, security secretary, Salta, interviews by author, New York, November 29, 2006.

43. Jorge Anibal Sopeña, ombudsman, interview by author, San Luis, August 7, 2002.

structure. Many police lacked the third year of their education, and the rights-oriented curriculum changes made at the IUSI by its first postrefor director—reforms intended to make community-oriented policing its “praxis”—were mostly discarded after she left that post.⁴⁴ The widespread resentment at being left out of policy formulation itself also produced resistance. In a collective meeting the entire top staff of the police said that the government did not include them in criminal justice policy. On problems such as domestic violence and the influx of “immigrants” from other province (a common object of blame), one police chief said, “Congress does not consult with the police,” and, as a result, there was no long-term citizen security plan to deal with them.⁴⁵

As in the other provinces, in the face of a real or perceived lack of state support the police can easily justify their illegal actions. In one informal conversation with four new police officers and IUSI’s director, one officer said it was normal for those in the *comisaría* “to hit people,” and another agreed, adding that “the police will deny it” and “the judges don’t do anything.” Yet another said he saw a child being beaten up in the street, but felt he did not have the training or support to respond. As an earlier chapter discussed, corruption or abuse by low-level officers often takes place in a context of inaction from above, thereby demonstrating the need for accountability mechanisms that go beyond specific incidents. But in San Luis accountability has been limited by a weak political opposition and a *defensor del pueblo* too closely connected with elected officials. Meanwhile, the lack of public defenders undermines due process within the courts, helping to fill up the provincial prison beyond capacity. And yet policy deliberations and decisions often remain limited to the higher levels. Especially controversial was the naming of former military and police officials, some with suspected roles in the Proceso, to top IUSI and Security Ministry posts. Contrary to the official history, a significant number were apparently not forced out of office after 1983. The government usually does not realize the combined effect of all these problems until after politicization makes it more difficult to act objectively. Politics helped lead to a 2006 law that declared that San Luis’s security system was in a “state of emergency” and that tried to jolt the police force by creating several additional agencies, in-

44. Adriana Algarbe, director, Instituto Universitario de Seguridad Integral, interview by author, San Luis, August 6, 2002.

45. Manuel Objeta, commissioner general, and Carlos Machiavelli, commissioner major, interviews by author, San Luis, August 5, 2002; Plana Mayor, Policía de San Luis, author meeting, San Luis, August 5, 2002.

cluding an internal affairs unit. But established practices and insular political relations, as before, diluted the effect of the law.

When otherwise conservative political establishments are railroaded into reform, such as in the province of San Luis, the foundation for its incorporation is shaky. Even with government support, its successors (even from the same party) often want to move away from reforms associated with a particular former governor or party, particularly amid the factionalization common to Argentina's parties, legislatures, and state agencies. Throughout the country, even viable proposals have come up against such political and institutional obstacles, which range from a lack of support for start-up programs to the depiction of reform as a threat to crime fighting. Discussion of change is then channeled into easier or *mano dura* ideas, which never lack a vocal public constituency that goads politicians. For example, the 2008 Senate hearings on security policy in Santa Fe Province were interrupted by citizen protests that "there are no human rights" for detainees and demands that the police "directly kill" them.⁴⁶ Such sentiments are also apparent in the growing support for reducing the age of legal responsibility to 14 years (a proposal favored by up to 70 percent of poll respondents),⁴⁷ to place more restrictions on probation, and to increase the punishment for adults who use minors in criminal activities.

And yet one of the benefits of Argentine federalism is the many realms in which such debates can be inserted into policies and laws that attempt to balance competing views. For example, Santa Fe formed militarized Special Operations Troops and Crime Victim Centers in 2008, and earlier, in 2007, Córdoba announced plans for both a heavily armed and tough-sounding Immediate Persecution Command (Comando de Persecución Inmediata, CPI) and a community policing program. How those units perform and interact would serve as good case studies of the relationship between traditional and problem-oriented policing. Federalism also means that the more substantial of those changes has a fair chance of taking root somewhere. Not many provinces have been able to introduce ambitious reforms and see them through the ongoing setbacks as well. The three that have—Buenos Aires, Mendoza, and La Rioja—are discussed in the rest of this section. Although the progress and results of these reforms remain tentative, these

46. "La seguridad en debate tras un acto polémico en el Senado provincia," *DERF-Agencia Federal de Noticias*, June 9, 2008.

47. Centro de Estudios Nueva Mayoría, May 2002; poll sampled 842 residents of greater Buenos Aires.

three otherwise different provinces provide evidence of Argentina's larger potential for change.

Buenos Aires

Buenos Aires Province has been the setting for one of the biggest showdowns between traditional and problem-oriented policing in Latin America. Though not a country, it has exhibited nearly all the complexities described in chapter 2 of national reform. By far Argentina's largest province and home to one-third of the national population, Buenos Aires also has its largest police force—the 55,000-strong agency commonly known as the Bonearenses. Since the mid-1990s the Bonearenses has undergone turbulent change, beginning with an overhaul that collapsed and was then revived with strategies to avoid its earlier policy and political mistakes. Reflecting the country's larger difficulties with democratization, the drama in Buenos Aires Province was nothing new. Since the country's independence in 1820, its police force, which has a long history of corruption and abuse, has required ongoing reform. As governor from 1829 to 1852, Manuel de Rosas held most of the country under his dictatorial sway through a centralized state and a secret security force, the *Mazorca*, which terrorized the population. A half-century later, in the early 1900s, police units were central in crackdowns against unions, immigrants, and other agitators. The province's police became integral to the repression when national governments used it to gain and maintain power, beginning with the country's first modern military regime in the 1930s, continuing through the democratic intervals, and culminating in the 1976–83 dictatorship, when the Bonearenses ran eight clandestine detention centers.

Since the return to democracy the agency's officers have been implicated in drug trafficking, torture, bribery, extrajudicial killings, extortion, drug trafficking, "trigger-happy" shootings, and the 1994 bombing of the Argentine Israelite Mutual Association (*Asociación Mutual Israelita Argentina*, AMIA). As in the Federal Capital, the police have drawn much of their power from their wide range of edicts, including fifty in the 1970 *Misdemeanor Code* (*Código de Faltas*) that allowed for arrest. In addition, as Ragerdorfer (2002) and Sigal, Binder, and Annicchiarico (1998) detail, the police were linked with all major criminal rings in the province, from drugs to prostitution. Thousands of officers were dismissed during the 1990s for crimes such as homicide, assault, torture, and drug trafficking. But the lack of accountability and action by the top ranks allowed extensive criminal jus-

tice abuses—such as a lack of due process protection and harsh prison conditions—to continue. External oversight bodies such as the provincial Human Rights Commissions were weak, as was the education on human rights offered by the police academies. Keeping these agencies on the defensive was the government's *mano dura* policy, which had widespread support as the rate of violent crime rose from 39.7 reports per 10,000 persons in 1987 to 111.4 in 1995 and 212.4 in 2000. Crime was particularly violent in the *conurbano*, which registered 156.5 crimes per 10,000 persons in 1997 (Sain 2001, 85). Support for *mano dura* hardened during this period, driven in part by former Proceso figures who were now police officials in *locacomisarias*. Although backing for the hard line then diminished as it failed to reduce crime, officials were unable to take advantage of this shift to try to make changes to an inefficient administration that weighed down the police. In particular, up until the 1997 reform about half the force was thought to be working mostly on legal procedures and incarceration. Very little effort went into prevention, even as economic conditions called for more effort in this area. This lack of planning, administrative rationale, and office specialization together turned the force, in the words of one official, into “de facto penal system.”⁴⁸

Action was finally taken when this untenable combination of rampant crime, abuse, inefficiency, and corruption began to impinge on the presidential candidacy of Gov. Eduardo Duhalde. After the legislature, at his request, declared a state of emergency in December 1996, the government split the unitary police force into preventive and judicial bodies, fired over two hundred officers, and formed a judicial police. A new penal process code altered the slow, biased, and inaccessible criminal justice system by shifting the control of investigations to the prosecutor through a Law of Public Ministry (Ley de Ministerio Público), thereby creating a new level of judges (*jueces de garantías*) to oversee detainee rights and bolster individual liberties such as by prohibiting information-gathering on citizens that was unrelated to criminal investigations. But the reform was immediately resisted and diluted by the police, mayors, local officials, and Peronist party operatives. The victory of the opposition Alianza Party in the October 1997 elections created a second front of opposition from the political left, which asserted that the reforms did not go far enough. The governor was then forced back to the drawing board.

In December 1997 Duhalde unveiled a more expansive reform that effectively dissolved the entire police force. He dismissed nearly five thou

48. Anonymous police official, interview by author, La Plata, August 22, 2002.

sand officers, established a Secretariat of Justice and Security, and named León Arslanián to lead it as the civilian secretary of justice and security. Arslanián, a judge in the historic 1980s trials against the former military dictators, was serving as chief of the Security and Criminal Policy Institute (Instituto de Política Criminal y Seguridad, IPCS), which oversaw the changes. In addition to forming transport, investigative, and criminal detainee units, the reform distributed the core police body—the preventive 35,000-officer Security Police—among the province's eighteen judicial departments, each run by an official directly accountable to the province's civilian secretary of justice and security. The reform dissolved special brigades such as the one on narco-trafficking, whose relative autonomy fostered abuse. Thus, unlike under the old structure, in which a police chief headed a single hierarchy of nine departments, the new force was divided into five separate entities run by a civilian chief. Perhaps most significant, Law 12.154 of July 1998 created citizen forums at the neighborhood, municipal, and departmental levels. The neighborhood forums (*foros vecinales*) were designed to encourage participation, channel complaints, and formulate preventive actions. The municipal forums, focusing on policy development, were composed of representatives of the mayor's office, the city council, the neighborhood forum, and other local and religious organizations. The other new position created was the *defensor municipal de seguridad*, a local official elected by the municipal forums to coordinate activities. The provincial legislature also formed a Congressional Bicameral Commission (Laws 12.068 and 12.069), Office of Control of Corruption and Abuse (Oficina de Control de la Corrupción y Abuso Funcional), and Office of Evaluation of Information for Crime Prevention (Dirección General de Evaluación de Información para la Prevención del Delito) to develop intelligence and crime prevention policy and to investigate police abuses.⁴⁹

But these changes did not reach into the inner workings of the police. As Dutil and Ragendorfer (2005) describe, the governor provided diminishing cover for his own reforms as the threat the security issue posed to his political career ebbed. Reflecting the shallow institutional reach of the reform was a lack of basic follow-up. For example, the police force's particularly powerful and corrupt special units (such as those for narco-trafficking

49. The Oficina de Control de la Corrupción y Abuso Funcional comprised an Internal Affairs Auditor (Auditor de Asuntos Internos) and an Ethics Court (Tribunal de Ética). The Operative Group of Complex Investigations and Narco-criminality (Grupo Operativo de Investigaciones Complejas y Narcocriminalidad) was formed to reengineer drug policy, such as by focusing police action on consumption as well as sales.

fraud, and the AMIA investigation) were dissolved and replaced by the Complex Investigations Unit (Unidad de Investigaciones Complejas, UIC). But the UIC's organizational regulations were not put into place, and, as Annicchiarico (1998, 78–79) points out, continuation of poor training and confused laws undercut UIC's functioning. Above all, upon the enactment of reform the top officers, angered by the mass dismissals, began organizing against it. Aided by Peronist officials, they exposed internal rifts within the party, as well as its connections to networks of corruption. Violent retributions among the police spread to the population, and the number of civilians killed by the police shot up from 120 in 1998 to over 200 in 1999. Poor administration also slowed down change. Between 30 and 35 percent of officers continued to work on administrative and minor matters, and only 47 percent were assigned to the *conurbano*, even though it had 64 percent of the population and 67 percent of reported crimes. Meanwhile, the executive never sent the legislature the promised bill that would have replaced the police personnel law that was created during the Proceso. Only 22 of the province's 134 municipalities elected *defensores municipales de seguridad*, only 102 of 330 *comisarias* established neighborhood forums, and not a single departmental forum was formed. In the criminal justice system the lack of material and human resources slowed the transference of power to and the training of prosecutors, allowing police control over criminal investigations to continue. The Office of Evaluation of Information for Crime Prevention was not established, preventing adoption of crime mapping and related approaches. The Auditor de Asuntos and the Tribunal de Ética were created, but they were duly ignored by the police. In short, many of the police's most corrupt and dysfunctional agencies had been dismantled, but, lacking better oversight, more training, and bigger budgets—at least six times bigger, analysts recommended—their practices were not.

Within a few years the police and political resistance latched onto climbing crime rates to bring the reform crashing down under Duhalde's successor. The antireform backlash had gone all the way to the top, fueling the victory in the 1999 governor's race of Peronist candidate and national vice president Carlos Ruckauf. Ruckauf ran on a campaign platform of "Bullets for Murderers" and justified police killings with the assertion that "the bullet that kills the delinquent" is "society's response to the bullet that kills innocent people."⁵⁰ Duhalde's implicit acceptance of Ruckauf's attack on progressive change prompted the resignation of Arslanián, whose replace-

50. Eduardo Oteiza, "Consecharás tempestades," *Clarín*, August 8, 1999.

ment was associated with the dismissed police officers. Thus just a few months after the forums began meeting in October 1999, security policy took a complete about-face. Ruckauf even appointed Aldo Rico, a right-wing former military official who led a military uprising against the trial of the former junta leaders in the 1980s, as chief of security. As a provincial police official in the 1990s, Rico had the support of many other former dictatorship officials cum *comisarios* with his position that “it is necessary to kill [delinquents] in the street without any doubt and without having pity.”⁵¹ Amid continuing jumps in crime, with robbery and assault rising 46 percent between 1997 and 1999, the new administration rode a popular wave of support for a return to a policy of *mano dura*. Among other things, it restricted bail and widened the powers of the police to question prisoners and to conduct random searches.⁵² The 2001 economic implosion and subsequent political changes again shook up the province. Amid rising criminal violence, angry mobs attacked police stations and killed officials suspected of involvement in kidnappings and other abuses. Disillusionment among the police also grew, prompting a *conurbano* police chief to publicly accuse President Duhalde of leaving the force “in rags.”⁵³

But with economic stabilization and the election of reformers in 2003 (despite the presidential candidates backing the right-wing candidates), the government of Felipe Solá (2002–7) regained the initiative. Arslanián, the architect of the ill-fated 1997–98 reform, was reappointed security chief, and he reintroduced the reform in April 2004 through a “new paradigm” based on citizen empowerment and a radically different police structure. He proclaimed that the structure amounted to nothing less than “the abandonment by the heads of the province in the formulation of security policies.”⁵⁴ First, the police force was completely restructured (again). The official and subofficial hierarchies were fused and the number of ranks compressed from seventeen to nine. More radically, the police’s entire structure was turned on its side when operative control was transferred to its thirty-two

51. “El carapintada por la boca muere,” *Página/12*, March 10, 1998, 12.

52. “Quieren usar custodios privados para prevenir y reprimir delitos,” *Clarín*, July 28, 1999, 38. In February 1999 the provincial government formulated a plan to increase from twenty-four hours to forty-eight hours the time the police could hold someone detained for identification, and to make it easier for the police to carry out inspections without court authorization.

53. Julio César Frutos, commissioner major, Jefe Departamental de Quilmes, “Carta abierta de un policía al Sr. Presidente,” letter provided by police officers on condition of anonymity, July 2002.

54. Interview by author, Lima, Peru, April 1, 2007, and Buenos Aires, July 26, 2007.

departmental headquarters. Law 13.210 created the Communal Police (Policías Comunes) and placed it in charge of all *comisarias* in municipalities with populations under seventy thousand. Resolution 1625/04 created Security Districts and District Police (Policías de Distrito) for municipalities with populations of over seventy thousand. The District Police are now run by a chief and an Evaluation Cabinet composed of police officers from different operational areas, such as investigation. To respond to the *conurbano*'s particularly high levels of criminal violence, Law 13.202 of 2004 created the Buenos Aires 2 police to work exclusively in the area of criminal violence, paying greater attention to violent crime and providing stricter oversight in areas such as human rights, thereby giving this unit more freedom from distracting responsibilities such as guarding specific persons or buildings.

Human and material resources were reorganized as well. Civilians were incorporated into the hierarchy and long-denied personnel payments such as for overtime were brought into the salary scale (through Laws 13.201, 13.202, and 13.210). An emergency line and a telephone connection to the Subsecretariat of Community Participation were also set up. Education was strengthened through formation of the Center for Advanced Studies in Police Specialties (Centro de Altos Estudios en Especialidades Policiales, CAEEP), composed of six schools in the province working with local universities and Departmental Retraining Centers (Centros de Reentrenamiento Departamentales). In 2004 the province established the Technological School in Public Security for more advanced training for graduates of the Juan Vucetich Police School, the main academy for provincial officers which itself was revamped under the Solá government. Finally, to facilitate the use of crime mapping, a CompStat system—System of Geographic Information (SIG) and System of Special Analysis for the Construction of Maps—was installed.

Accountability, critical to any Bonearensis reform, was strengthened by means of an internal affairs office (Auditoría General de Asuntos Internos) empowered to receive and investigate citizen complaints. Under this system, police superiors decide on misconduct directly related to an officer's duties, such as tardiness or failing to obey orders, whereas the Auditoría investigates cases of corruption or abuse, deciding whether a formally accused officer, who has thirty days to present a defense, continues in the force.⁵⁵ Its staff of

55. Máximo Zitti, director, Apoyo Tecnología y de Análisis de Información, interview by author, La Plata, July 20, 2007.

about two hundred civilians receives about fifteen reports a day (about a third through e-mail) of police misconduct. Based on investigation of those reports, an increasing number of officers have been expelled, the majority for corrupt acts such as extortion, physical coercion, and bribes. The unit also undertakes accountability actions that are broader and more preventive than those undertaken by most other units in Argentina and the rest of Latin America. For example, it conducts patrimonial investigations of officers' finances and uses its Automatic Vehicle Location system to monitor the 4,500 police cars in the *conurbano*. Using this power, the Auditoría is able to extend accountability beyond answerability and punishment to actual eradication of the root causes of abuse. Compared with the evaporating accountability of the 1997 reforms, most residents, when asked, say that under these reforms the police are more restrained or are at least circumspect about their illicit activities.

With such controls in place, the government has been able to carefully expand some of the police force's authority. In December 2005, for example, the province disregarded federal opposition and responded to a great "social demand for a quicker response" to drugs by giving the Bonaerense control over detentions for minor drug violations.⁵⁶ In fact, because of the *conurbano*'s high crime rate, traditional policing has been unavoidable. In November 2003 President Duhalde ordered security forces into three of the province's highest-crime areas. In an unprecedented show of control in the democratic era, 400 Bonaerense officers occupied the *villa* Carlos Gardel, 350 National Prefect officers took over the *villa* La Cara, and 500 gendarmes moved into the *barrio* Ejército de los Andes. Although residents complained of police abuses, as they do in other *villas*, the operations did eliminate illegal drug trafficking and other crime in these areas. "We were resentful of the police when they first came," said one resident in Carlos Gardel on condition of anonymity during a meeting with federal civilian officials in June 2004. "But we are glad that they got rid of the delinquents—our lives are more peaceful now." According to the police, though, this and other provincial *villas* continue to be crime hot spots, particularly for kidnapping and car robbery. Many officers acknowledge that, as in the *villas* in the Capital Federal, preventive social services are clearly needed for lasting change.

Most of all, reform in Buenos Aires boosted citizen power and participation beyond that associated with almost every other regional reform. Based

56. Roberto Silva, comandante and head of drug operations, Policía de la Provincia, interview by author, La Plata, July 2007.

on this potential, many forums continued to meet during the four years in which reform remained on the back burner, helping to galvanize new ones after 2004. The “rights” of citizens to participate in the “elaboration, implementation and control of public security politics,” as guaranteed in Article 11 of Law 12.154, began to be exercised through the neighborhood, municipal, and departmental forums, as well as through the municipal security *defensores* elected by the municipal forums to coordinate activities. Instead of serving merely as an extension of the police or a sop to community activists, as in other countries, these forums have substantial legal authority. In particular, the neighborhood forums were given a great deal of control over evaluation in four broad areas of citizen security: (1) identifying the causes and locations of crime; (2) controlling and monitoring policing; (3) pursuing situational prevention by developing programs on school safety, public space, family violence, and other socioeconomic problems; and (4) improving criminal justice by forming committees that correspond to the province’s eighteen judicial departments. In the first area, the causes and locations of crime are documented in reports, meetings, and crime maps drawn up for the Subsecretariat of Investigations and Criminal Intelligence (Subsecretaría de Investigaciones e Inteligencia Criminal) and CompStat meetings. In the second area, policing is controlled and monitored mainly by developing criteria, issuing reports, and writing evaluations of officers that become part of the annual review of the Professional Certification Unit. As part of that responsibility, the municipal forums help the police chief oversee the Communal Police and to design Integral Plans of Municipal Security. The third area of forum action, linking situational prevention to economics, is one of the reform’s most predominant and catalyzing features. The Security Secretariat is constantly referencing the province’s excluded sectors—youth, the critically poor who make up about 12 percent of the population, and the informal sector, which makes up about 40 percent of laborers.⁵⁷ In the fourth area, the committees formed that correspond to the province’s eighteen judicial departments⁵⁸ have markedly increased citizen access to justice by helping to decentralize the Fiscalía and simplifying the process of filing a crime report.

A host of programs support these areas of work. In 2005 the program Control and Evaluation of the Response, Quality, and Attitude of the Local

57. Martha María Arriola, subsecretary of community participation, Ministerio de Seguridad, Provincia de Buenos Aires, interview by author, Buenos Aires, July 19, 2007.

58. Districts are divided into civil, commercial, family, labor, administrative, penal, and minors areas.

Police Service (Control y Evaluación de Respuesta, Calidad y Actitud del Servicio de Policía Local, CERCA) began to train citizens in evaluation methodologies, and the province's Multiple Response Program (Programa de Respuesta Múltiple, PRM) helps communities develop prevention-based strategies focused on social conditions in the province's poorest areas. But the main areas for citizen action, which are widely regarded as the heart of the province's reform, are the Schools of Community Participation in Security (Escuelas de Participación Comunitaria en Seguridad). The first school opened with two hundred students in August 2005 in Quilmes, a low-income municipality south of the Capital Federal known for its killings and abuse by police. Since then, five other schools have opened around the province, bringing together 350 community organizations, nearly 450 forum members, and hundreds of additional participants. During a year of instruction using different modules, the schools educate citizens in policy, pedagogy, and policing.

Beyond their specific policy and evaluation tasks, the appeal of the forums is that they serve as open spaces of civil society to increase citizen confidence, enable general analysis of government functioning, and facilitate the exchange of experiences. They are something profoundly new, emphasizes one of their chiefs, aiming at no less than the "reconstruction of the social fabric."⁵⁹ They try to get people to "think in the first rather than the third person," in the words of one participant—that is, to claim ownership of the security issue through diagnosis, planning, execution, and policy evaluation, while minimizing political interference and strengthening the existing community power and resources. The forums, then, are designed to solve rather than simply respond to problems—an approach, in the wake of the 2001 crisis, perfectly attuned to the prevailing national mood.

How this fusion of policy power and open-ended participation plays out is on view at forum events. At one meeting in Lomas de Zamora, an impoverished high-crime district, engagement was both wide and strong, with residents from different walks of life exhibiting detailed knowledge of crime trends and social conditions. "A photocopy of Law 12.154 arrived in our hands, and when we read it we were very surprised," said one resident to explain the area's high turnout. We realized that "we found something quite distinct." Many studies of participatory budgeting in Latin America see socioeconomic differences as a hindrance to participation. But the vis-

59. Néstor Borri, executive secretary, Centro Nueva Tierra (New Land Center), interview by author, Buenos Aires, July 18, 2007.

ible signs of such division have been minimized in Buenos Aires Province—in part because of the extent to which the 2001 crisis diminished everyone's economic standing as well as the social standing of anyone with "experience." Bringing together citizen forums with groups such as the chambers of commerce, the Lomas de Zamora area held an extraordinary 998 meetings from the beginning of 2006 to the middle of 2007.

What residents have found particularly useful about these meetings is the ability to put into place multiple responses to security problems. For example, a citizen-initiated study of detained youth revealed that a majority of them had not completed elementary school, leading to the enactment of new education programs. The citizens' forum also updates crime maps and places notebooks at different locations along officers' routes for them to sign, helping to ensure that they keep to their assigned patrols. Perhaps most telling of the reform's impact, residents now say that they are more inclined to call the police station when there is a problem—a big change from the past and a basis for the connection between such a citizen initiative and actual policy that has been absent in many reforms. For example, the robbing and dismantling of cars—one of the area's most persistent forms of illegal activity—has been reduced through raids on car shops, often as a result of anonymous calls. Nearly a hundred of these shops have been closed, and, more important, they have not been replaced.

The combination of structural decentralization and citizen organizing has also greatly enhanced the power of municipal governments and opened the way for local efforts beyond provincial laws. In smaller cities, the chiefs of the communal police have been chosen since 2007 through local elections—an unusual but very powerful tool of citizen power. In addition, many of the province's larger cities have devoted more resources to prevention. Morón, La Plata, and Ituzaingo have responded to social demands with programs such as youth centers, free telephone lines, and the placement of law student interns in police stations.⁶⁰ The city of Ituzaingo also opened a Municipal Center of Assistance to Victims of Insecurity (Centro Municipal de Asistencia a Víctimas de la Inseguridad) that included medical and legal facilities. Most notably, Morón's mayor Martín Sabbatella—who was from the Frepaso political coalition and upon election in 1999 became one of the province's few large-city mayors independent of the Peronist party machine—allowed city facilities to be used for afterschool youth programs and civil

60. Police officials and youth, Morón, Ituzaingo, and La Plata, interviews by author, June 2004, February 2005, and July 2007.

rights seminars. Like “violence interrupters” in the high-crime neighborhoods of Chicago, discussed in the next chapter, much of the impact of these centers has come from their ability to end cycles of retribution by helping defuse tensions. For example, nearly everyone at a meeting of teenagers in Morón could recount recent confrontations with police officers, but said that having this space helped them either to file formal complaints or at least to let off some steam.⁶¹

In other areas local leaders facilitate ongoing meetings. Most of the Almirante Brown municipality, for example, is divided into sectors, each of which has a neighborhood team and a police team that hold monthly or bi-monthly meetings to discuss area problems.⁶² Many *barrios* within the municipality have developed security plans that take on a full plate of issues, from discrimination to drug trafficking, through policy innovation and mechanisms of evaluation. Most notably, these plans do not seem to shy away from actions that might upend long-standing social or institutional relations. For example, they talk about violence among residents, which always carries the potential for embarrassment or discomfiture, and the lack of police response to information provided by residents, which challenges police power. In a reversal of traditional policing and even many community policing forums around the region, one resident used large maps to illustrate for the *comisaría* how drug use was spilling over from one neighborhood to the next.

Widening citizen action, however, invariably bumps up against a triad of politics, economics, and bureaucracy, which tends to be stronger in the industrialized urban settings that make up most regions such as Buenos Aires Province. For example, forum analysis of “situational prevention” has pointed to the provincial train system as a major source of insecurity, characterized by the physical deterioration of and the ongoing criminal activity in both the stations and the trains. Because the railroad is run by metropolitan concessionaires (*concesionarios metropolitanos*) and not by the municipalities or even the provincial government, citizens had to go through different channels to exert pressure for change, which required more work.

In the criminal justice system, persistent problems include confusion over judicial processes, unclear administrative responsibilities, and delays in warrants for raids and for preventive arrests. “When we file a crime re

61. Municipal officials and youth, Morón, interviews by author, May 21, 2004.

62. Karina Viegas, lieutenant, Almirante Brown, interview by author, Almirante Brown, July 23, 2007.

port,” complained several citizens at a meeting, “we also become victims of the bureaucracy.” They cited, for example, the problem that several *comisaría* jurisdictions overlap in certain blocks, creating confusion for their residents about whom to contact. Many goals of the local projects, admitted one police official, were far from being reached because of such bureaucratic impediments and the resulting dissuasion among residents.⁶³ Even efforts with strong local support and government money are obstructed by local politics. In the San José area of Almirante Brown, for example, residents who developed a disarmament program were surprised by the lack of will by local officials, who, they said, were too “tied in” to local police officials who were resistant to sharing responsibility on this issue with citizens.⁶⁴

The broader economic conditions are even farther beyond citizen control than the political conditions. Buenos Aires Province has about one-third of the national population, but most of its poverty and over half of its homicides. The general unemployment in metro Buenos Aires is higher than in all of Argentina’s other urban areas (Ministero de Economía 2002). Youth unemployment and delinquency continue to be huge burdens for both society and the criminal justice system. Between 1992 and 2002, for example, the court cases involving minors in the provincial judiciary—which has forty-six minor courts—rose 92 percent.⁶⁵ In an attempt to deal with these increasing numbers, in 2007 the province dissolved the minor courts and replaced them with thirty-five Courts of Juvenile Penal Responsibility (Juzgados de Responsabilidad Penal Juvenil) and forty-three Courts of Youth Guarantees (Juzgados de Garantías del Joven), each with teams of social workers and the provision that anyone detained for over 180 days without trial must be freed.⁶⁶

Argentina’s wide gap between rich and poor is also on clear display in the province, perhaps most visibly in the growth of private security and

63. Roberto Castronuovo, district chief, Lomas de Zamora, interview by author, Lomas de Zamora, July 27, 2007.

64. Margarita Gandolfo, president, Foro Vecinal de Seguridad Almirante Brown, interview by author, July 24, 2007.

65. Most of that increase is attributed to a corresponding rise in unemployment, from 19.7 percent in 1990 to 34 percent in 2000 for the 15–19 age group (Encuesta Permanente de Hogares, Instituto Nacional de Estadística y Censos, Ministerio de Economía). According to SIEMPRO, 47 percent of minors are impoverished, nearly double the 25 percent of the overall population (Dirección General de Prevención Comunitaria de la Violencia 2004).

66. “No va más para los Tribunales de Menores en la Provincia ante puesta en vigencia del Fuero Juvenil,” *noticiasmercedinas.com*, February 3, 2007.

gated communities. About 80 percent of the 450 suburban gated communities in Buenos Aires were built since 1995, when crime began to spike. Among the largest and newest of them are the “garden towers,” which house up to 600,000 residents. Between 1991 and 2001 up to 90 percent of both new urban housing and single detached suburban homes were in gated communities, which made up over 10 percent of the suburban share and about 25 percent of upper-income residences (Janoschka 2002). A large percentage of these and other residences hire private firms or are built with private security as a main draw. The province has nearly 900 registered private security agencies with over 45,000 employees, although most estimates put the number of private officers at 70,000, about 25,000 of whom work illegally or as independent contractors.⁶⁷

The ongoing shortfalls in public security have increased citizens’ reliance on private security. For example, in the late 1990s cities such as La Matanza hired private firms for basic patrols (Lozada 1998, 51), and in December 2006 the provincial legislature passed a law allowing only private security guards to guard bars and nightclubs—primarily, many observers say, because of the high levels of corruption found when the police guard such businesses. Such legislation is rooted in Law 12,297 of 1999, which regulates the province’s private security firms but explicitly promotes a central role for them in crime prevention. Even the tenants in many middle-class buildings who cannot afford to hire a firm will pool their money to pay local officers for protection—in effect, a privatization of public security.⁶⁸ Although violent crime has fallen in many areas, highly publicized incidents such as armed robberies of crowded restaurants keep public fear of crime high. Believing such crimes are possible only with police collusion, more businesses, especially services such as markets and banks, have turned to private firms⁶⁹

Because it frees up some responsibility for the public police, private security also allows better-off areas to solidify their generally positive relations with the police. The wealthy Buenos Aires provincial enclave of San

67. “En la Provincia de Buenos Aires, solo los agentes de seguridad privada podrán custodiar boliches y bares,” *Clarín*, December 22, 2006. In the Capital Federal many public officers also work in paid private law enforcement

68. *Ibid.*

69. Private personnel in the city are paid up to 50 percent more than the state police. Roberto Sausa, president, Seguridad Magnum, interview by author, Buenos Aires, October 24, 1994. See also Cámara Argentina de Empresas de Seguridad e Investigación, <http://www.caesi.org.ar>.

Isidro, for example, has a community participation group, weekly meetings with the police, and formal agreements of collaboration among municipal services on security issues. By contrast, some poorer *conurbano* districts have seen few changes in the course of provincial reform. In the middle of San Isidro, for example, is Barrio La Cava, a *villa* of carton houses, open sewers, and very tense relations with the local police. Another poor but more organized low-income area is Quilmes, which embraced reform early on and formed the first School of Community Participation in Security. But its residents still complain of ongoing police violence and anemic citizen participation, saying they have seen little improvement. Since their formation, in fact, Buenos Aires 2 agents have shot unarmed youths on several occasions. Many citizens say that such “triggerhappy” incidents, one of the biggest abuses of the Bonaerense and a main target of the reform, cannot be ended simply by a new agency whose agents receive only sixty-four hours of rights training. Moreover, many people in Quilmes and other areas fear becoming involved in any forum, because they say it would identify them, to both police and criminals, as possibly being complicit in corruption. Thus even broad structural and judicial reform may leave corruption intact. Many residents also dismiss those who are active in the forums as interested in using them only to get involved in local politics. “One of our biggest challenges is how the citizens organize,” says one Quilmes resident, “since without organization it is impossible to change politics.”

Mendoza

Like Buenos Aires, other provinces have had to confront long-standing tensions, patterns, and injustices as they try to move their security systems in a new direction. Mendoza, an Andean province and Argentina’s fifth most populous, long had the country’s second-highest crime rate and one of its worst records of police abuse in the postdemocratic era. According to one estimate, Mendoza’s crime rate tripled between 1991 and 2001 (Arland 2002); another estimate says it more than doubled between 1993 and 2003⁷⁰. Between 1986 and 1996 Mendoza had four times the number of reported cases of police violence per capita than notorious Buenos Aires Province and nearly seven times the number of nearby Córdoba Province.⁷¹ Within its

70. Based on 2004 reports by the MJS DH, as discussed in Pérez (2004, 78–83).

71. Mendoza had one police killing of civilians per 48,676 residents, Buenos Aires Province one per 212,371, and Córdoba Province one per 325,526. *Revista Noticias*,

Table 6.1 Number of Crimes per 100,000 Inhabitants, Mendoza Province, Selected Years, 1987–2005

	1987	1989	1993	1994	1996	1997	1999	2000	2004	2005
Total	132.1	209.0	282.1	312.0	387.8	427.6	566.3	570.3	552	594.2
Capital	n.a.	n.a.	657.8	656.8	921.2	1,112.6	n.a.	n.a.	n.a.	n.a.

Sources: 1987–2004: Gorri, Lecaro, and Repetto. (2003); 2004–5: <http://www.indec.gov.ar/nuevaweb/cuadros/8/z030601.xls>.

Note: “n.a.” indicates data were not available.

highly militarized structure established in 1983, the 6,297-strong provincial police was divided into a command force, an administrative support force, and several special units.⁷² But there were serious rifts within the police, caused, as one of the chiefs at the time explained, by citizen distrust of the force that grew along with the crime rates (Vargas 1995). For its part, the province’s hapless judiciary was plagued by a perennial overload of cases, poor salaries, and a lack of training and technology.⁷³ The combination of police and judicial inefficiency also led to greater recidivism, whose rate rose from 21 percent in 1992, which was 4.5 percent less than the national average that year, to a rate that was well over the national average by 2006—although the police, judges, legislators, and the governor’s office have different estimates. In addition, at any given time about half of the province’s criminal detainees were awaiting trial in its two antiquated and inhumanely overcrowded prisons. After some physical improvements in 1983, there were none again until the legislature approved in 1994 the construction of a new facility, which quickly became overpopulated. Not surprisingly, Mendocinos’ evaluation of their government’s security record is withering. In a 2004 poll that asked about the most problematic part of the government,

November 8, 1997, 1–26. In April 1990 Adolfo Garrido and Raúl Baigorria “disappeared” and were killed by the police; in 1992 Armando Neme, Carlos Ross, and Paulo Guaradatti were killed by the police; in 1993 Egardo Muñoz was killed by a police agent after a football party; in 1996 Luis Gómez died after being pursued by the police, and Hugo Gómez Romagnoli was shot in the back by a “trigger-happy” agent.

72. Laws 4697 and 4747. The command force is responsible for security and functioning as an auxiliary to the judiciary, and the support force serves as an auxiliary to the command force. Under increasing pressure for more security by society in 1997 the government revived the Special Security Group (Grupo Especial de Seguridad, GES), a twenty-five-office division with commando training for especially serious conflicts.

73. Up until the mid-1990s the average criminal trial lasted twenty months (Ampatá, Binstein, and Farhi 1997).

53.78 percent of respondents cited security, followed a distant second by salaries (12.89 percent).⁷⁴

By maintaining control over all areas of citizen security—from criminal policy to the police and prisons—governors and the Government Ministry were able to head off attempts at reform for many years. But in 1995 crime began to top corruption and even record unemployment as Mendocinos' biggest worry; about 60 percent of those polled felt unprotected and underserved and blamed the police and courts.⁷⁵ As public trust in the police rapidly eroded, it took the convergence of more abuse, a crime wave, and police rebellions to finally push through actual reform. In October 1997 the death of Sebastián Bordón, a Buenos Aires youth on a graduation trip to Mendoza, exposed cover-ups, hidden evidence, public deception, and possibly homicide by the police, prompting Peronist governor Arturo Lafalla (1995–99) to dismiss the government minister, the police chief, the sub-chief, and various top officers.⁷⁶ Lafalla was particularly incensed by the police's fabricated evidence that the young man was not in the province.⁷⁷ Faced with unfavorable national attention and just one more year in office in early 1998 Lafalla formulated the Strategic Plan of Security and Prevention of "Anti-Social" Conduct (Plan Estratégico de Seguridad y Prevención de Conducta Anti-Social), which envisaged a clearer penal code, a stronger Fiscalía, and community policing programs around the province. In October, along with increase in the criminal justice budget, bills to reform the penal and penal process codes were introduced.

74. "Las opiniones políticas de los mendocinos," *Los Andes*, July 20, 2004.

75. Telesurvey, Opinión Pública, Empresa Heriberto Murano, 1995. In a June 1998 telephone poll of a 1,200-person cross section of the province, crime was the biggest concern expressed (Gorri, Lecaro, and Repetto 2003). In another June 1998 poll 14 percent of respondents said that crime and insecurity were their biggest concerns, followed by education with 13 percent, corruption with 12 percent, and unemployment with 9 percent—even though the provincial unemployment rate had reached nearly 15 percent (Telesurvey, Opinión Pública, Empresa Heriberto Murano).

76. "Cómplices del silencio," *Revista Noticias*, October 18, 1997, 132.

77. Arturo Lafalla, governor, Mendoza Province (1995–99), interview by author, June 3, 2004. Public outrage at Bordón's death led the government to reopen the case of Paulo Christian Guardatti, a young man who was detained by a police officer in the province on May 23, 1992, after an altercation between the two, and then he was never seen again. Lafalla's government subsecretary revoked an earlier resolution declaring a "lack of merit" in the initial accusations against eight officers involved in Guardatti's disappearance, and the governor acknowledged the state's responsibility. See also Almada and Licht (2001).

Few steps were taken toward structural reform of the police, however, because the rising crime rate—which jumped by a quarter in some years in the late 1990s—made legislators cautious. Meanwhile, most top police officials opposed the penal reforms as an attempt to limit their authority, and they were not mollified by increases in their budgets. Following an assault on a police contingent in a failed bank robbery the legislature approved two executive bills to increase punishment for carrying illegal arms and to strengthen criminal witness protection laws, and the executive released five hundred of the some twelve hundred police personnel working in administration.⁷⁸ But, as often happens in attempts at police reform, the situation had become too politicized for either side to step down unilaterally. Grievances had been building for years among an underpaid, overworked, and poorly equipped police force that was feeling increasingly squeezed by a society and state demanding better results but unwilling to commit the resources to provide them. Their resentment was fully manifested in October 1998 when a large contingent of officers marched on the provincial legislature, impelling all officers to walk off the job and hand the government a long set of demands that included a salary hike, more equipment and personnel, an eight-hour workday, compensation for overtime and seniority, participation in any reform (a perennial grievance in many provinces), suspension of protection of private businesses, and a more formalized personnel hierarchy (Salomón 2008, 3).

After an uneasy agreement brought the police back on duty the province's main political parties—the Peronists, the Partido Demócrata Mendoza (Mendoza's Democratic Party), and the Alianza—forged a strategic plan that emphasized citizen participation and victim rights. Despite its lofty principles, the agreement was nevertheless a closed one among the parties, without any direct participation of police, criminal justice officials, or NGOs. Although a restricted set of negotiators might reduce the impediments facing reformers, in the long run it can undermine change by giving major actors like the lower ranks little stake in it. At the end of December 1998, the agreement materialized into Laws 6642, 6651, 6652, and 6653, which created a civilian-led Ministry of Justice and Security over all security and criminal justice issues. The positions of police chief and subchief were abolished, and they were replaced in part by the Council of Public Security (Consejo de

78. The government, according to a senator, “could not be seen to be out of step with the social demands channeled through the media and the opinion polls.” Alfredo Guevara, senator, interview by author, Mendoza, August 13, 2002.

Seguridad Pública). A year later the legislature approved a Public Security and Police Law (Law 6721, Sistema Provincial de Seguridad Pública de la Provincia de Mendoza, and Law 6722, Ley de Policías de la Provincia de Mendoza), which decentralized the police into four district police units, corresponding to the province's four judicial districts (Gran Mendoza, Valle de Uco, Sur, and Este). Each was headed by a government-appointed district security chief.⁷⁹ A Liaison Unit (Unidad de Enlace) was created to coordinate actions by the four districts. The reform also established a judicial police force centered in the Department of Criminal Analysis (Departamento de Análisis Criminal), whose five divisions were devoted to misdemeanors property, persons, economics, and narcotics; a Department of Inspection (Departamento de Inspección) to help carry out criminal investigations in Gran Mendoza; a Scientific Police (Policía Científica) to work with courts on criminal investigation; a transport police; a twenty-member Detective Body (Cuerpo de Inspectores); and six special units (including motorized, bicycle, mounted, and aeronautic).

Because a central objective of the restructuring was to regain citizen confidence, the reform put nearly a thousand extra officers on the streets of Gran Mendoza and adopted programs such as *Policía a Mano* and *Policía Puerta a Puerta* that organized new officers into teams of block-by-block prevention. The reform also eliminated the distinction between the official and the subofficial corps, and it reordered the basis for promotion, placing efficiency and aptitude before seniority (Repetto and Simón 2001). It established as well a congressional bicameral security commission; neighborhood criminal justice committees, *foros vecinales*; a coordinator of security to coordinate police-society relations; and Security Councils (Consejos Departamentales de Seguridad) of municipal officials, police, and citizens. To investigate police wrongdoing, the reform created the General Inspector of Security (Inspección General de Seguridad, IGS) within the Ministry of Justice and Security.

With the weakness of the Buenos Aires reform in mind, reformers gave their structure wide powers to address public concerns and to control police behavior. The IGS is authorized to report criminal activities among the police, conduct regular inspections, receive and investigate reports of wrongdoing, assess police regulations, participate in the promotion of police offi

79. The district chief heads up operations personnel and the district hierarchy comprising a *jefatura* (top staff), *subjefatura*, and *comisarias*, as well as special units, normally answerable to the minister, working on particular operations in the district.

cers, monitor police finances, and develop new policies of police administration. In these efforts it is supported by the Disciplinary Board (Junta de Disciplina), which prosecutes errant officers. In its first six months the I made full use of these powers, receiving over one hundred reports of abuse, conducting thirty-seven inspections, and initiating over eight hundred investigations (Arland 2000). Aiming to prevent as well as to respond to police abuse, the agency has also trained mediators and placed them in police stations.⁸⁰

The reform also regeared police education by replacing the Escuela de Oficiales and the Escuela de Cadetes with a new academy, the University Institute of Public Security (Instituto Universitario de Seguridad Pública, IUSP), a joint effort of the government and the National University (Universidad Nacional de Cuyo) that offers a six-month training course for basic policework, a two-year technical degree, and a four-year bachelor's degree. Training for new and serving officers also has been expanded through seven satellite academies, special IUSP courses for judicial police, and cooperative programs with other police.

The reform had the foundation for success: it was comprehensive, covered each stage of criminal justice, enjoyed at least an elite political consensus, and gave the police civilian leadership that could theoretically neutralize internal opposition.⁸¹ The *foros vecinales* that were up and running became a source of projects and ideas that furthered the reform, such as *alarmas comunitarias*, which alert all the homes in a community about a neighborhood robbery or other crime. Many nonpolice state programs that also strengthened the reform included an anti-family violence project, local health centers, and an experimental School for Fathers geared toward building parental self-esteem. The reform also led the way to greater professional support for the police, such as a new Personnel Law that made way for the training of prison officials and so relieved the police of much of this responsibility. Because half of police personnel do not own their own homes and most live in high-conflict areas, one program helps them secure ban loans at favorable rates. Even more important, say police, promotion has become fairer. It is now based on a score of 0–20, calculated by using spe-

80. Andrés Miranda, inspector general of security, interview by author, Mendoza, June 3, 2004.

81. As Lafalla asserted, "The more we see, the more convinced we are that this is a plan that will have to work for all Mendocinos, as well as this and future governors." "A pesar de la opinión de la gente, Lafalla está más convencido que nunca sobre el plan de seguridad," *Diario Los Andes*, October 17, 1998, 2.

cific criteria such as community relations, awards, and sanctions. Seniority counts as just 30 percent of the score, which is far below the official and unofficial rates in most other provinces.

When it was first implemented, the reform spurred “ferocious resistance”⁸² by a police force that, like the one in Buenos Aires, was largely left out of formation of the reform and so saw it as an attack on the force’s institutional interests. More significant, the reform was eroded by the Radical Party government that was elected in 1999 and had no intention of paving the way for a policy associated with the previous Peronist administration. Although officials did not admit to deliberate sabotage, their resistance was supported by pro-*mano dura* blocs in all three government branches. Interviews with judges indicated a particularly strong resistance in the courts. For example, even though the hundred-year-old prison was built for no more than 700–900 inmates but held over 2,200, many judges dismissed both alternative mechanisms and human rights concerns by continuing to send detainees there regardless of the severity of the charges.

Equally or perhaps more damaging to the reform was the lack of visible improvements in police officers’ work. Although bureaucratic rationalization was one of the primary bases of the new laws, that goal was scuppered by disputes over how many officers actually worked in administration. The Senate Security Commission, flexing its new authority over security policy, said that 40 percent of officers worked in administration, but the government security chief countered by accusing the commission of “lying” and stating that only about 5 percent did (about 300 of the province’s 6,700 officers)⁸³ At the root of the disagreement was a dispute over methodology, because such an estimate depends on whether administrative work is measured by official tasks or by time spent on them. Another goal on which the reform and subsequent Senate proposals fell short was enlarging the force to 9,500 officers⁸⁴ Money problems continue to hold the police force well below that number; it had reached about 7,000 by 2007. Although some of those difficulties could not be anticipated—for example, the country’s fi-

82. Alejandro Salomón, secretary of security interview by author, Mendoza, August 15, 2002.

83. Carlos Abihaggle, senator, interview with author, Mendoza, June 1, 2004.

84. In 2003 the Senate Security Commission put forth a \$400 million plan to bring the police up to nine thousand officers, “apply a new judicial system,” and expand the prisons to accommodate six thousand inmates. While popular, these goals were out of sync with the province’s financial capacity. Sen. Carlos Abihaggle, “Plan Quinquenal,” unpublished proposal, Security Commission, Senate of Mendoza.

nancial meltdown required a hiring freeze for most of 2002—the goal was still clearly unrealistic when the reform was enacted. As discussed in other chapters, it also drew attention from the more significant issues of human resources management. In Mendoza, fewer than 850 officers—just 12 per cent of the force—are on patrol in any twenty-four-hour period. In addition, the police complain about a lack of basic equipment and the bureaucracy involved in trying to get more. Many *comisarios* claim that they have just one bulletproof vest for every four officers and just four radios for every one hundred.⁸⁵

In response to the perceived political need to boost the police presence, in 2000 the provincial government did so cheaply and quickly by forming an auxiliary police, which sent its officers into the street after a rather slapdash twenty-four-week training course. Because they were not sufficiently prepared, however, the province had to backtrack and open a school for the auxiliaries. But as the force swelled from twelve hundred to about two thousand officers, the school had a hard time correcting its practices. Another solution, then, was to steer auxiliaries toward the regular police. But those who began the process of entering the regular police were required to attend the IUSP while maintaining their regular work schedules. Because it was difficult to do both, the few dozen auxiliary officers who actually matriculated into the IUSP often did not show up for work. Between that development and the poorly trained municipal and community police, the security structure became even more chaotic.

Bringing more security officials onto the street did not, however, dent the appeal of private security. The movement toward private enterprise was already well under way in the 1990s, and between 1994 and 1997 the number of companies increased by 60 percent at the provincial level (Repetto 2002, 184). By 2007 eighty-eight private security companies, with their 5,570 officers—amounting to a parallel force—were serving 1,460 businesses and residential neighborhoods in the province. Although their sizes and specializations vary, they all seem to charge high rates. Small-business owners in the capital districts of Godoy Cruz and Guaymallén have complained about steep charges for just a basic custodian, and many of the province's well-known wineries have paid the equivalent of 55,000 bottles a year for their services (AndesWines 2007). Despite their growth, though, the oversight of these services is irregular. The 1997 law that first set ou

85. Author meeting with provincial police commissioners, Mendoza, February 21, 2006.

general regulations for private security was modified in 2005 to strengthen them, such as by allowing radio contact with state police. Since 2006, about eight firms have been closed each year for various irregularities. Only about 20 percent of the firms in operation have been accredited by the Private Enterprise Registry, and, according to a union of private guards, no more than 60 percent of them are adequately trained.⁸⁶ One guard in front of a store in the municipality of Guaymallén said that even though he tried to stay awake on the job, he often slept during his training sessions because—much like the auxiliary police officers—he was exhausted from working for “different police.” Although it is common knowledge in Mendocino neighborhoods, public and private officials seem to have no idea that many of the public police are violating the prohibition against working for private firms. In one case, a woman working for both the public police and private security was finally caught after twenty years, and her case was sent to the IGS. More serious, many firms not authorized to possess firearms do so anyway. Part of this lax approach by the state certainly stems in part from its perceived need to rely on private sector. In 2007 the government signed an agreement of cooperation with the Association of Private Security Agencies.⁸⁷ And among those asked to work on the government’s “anticrime plan” was the private agency headed in part by an intelligence official in Mendoza police headquarters, which had a secret detention center that “disappeared” hundreds of people during the Proceso.⁸⁸

Criminal policy did not help reduce such confusion. Despite the creation of the Ministry of Justice and Security citizen security policy continued to be confused, polemic, and often makeshift. In 2002 the government proposed two strong *mano dura* laws: the first to permit searches and seizures by the police without the approval of a judge, and the second to restrict release from prison in a way that would risk the “total collapse of the penal process system.”⁸⁹ Although opinions by majorities of the Penal Law Commission of the Bar Association declared the two bills unconstitutional, they received strong

86. Marcelo Arce, “Afirmar que no está capacitado el 50 percent de los vigiladotes privados,” *Diario Uno*, April 23, 2007.

87. Mariana Carvajal, “Las polémicas definiciones y proyectos del Gobernador Cobos en Mendoza,” *Página 12*, May 6, 2007.

88. E-mail correspondence, Pablo Salinas; Carlos Rodríguez, “Mendoza Convoca a agencias cuestionadas por sus directivos la seguridad a manos de represores,” *Página 12*, May 13, 2007.

89. Diego Lavado, human rights lawyer, e-mail correspondence with author, March 21, 2003.

popular and political support. Not to be outdone, opposition party members in the legislature, citing a “collapse” of the police, petitioned to have the national gendarmes patrol the province. One national legislator demanded lowering the age of legal responsibility to 16 and advised Mendoza to follow the tough policing approach of New York City where, he claimed, people “were not allowed to walk on the main avenues after 5:00 in the afternoon.”⁹⁰

Meanwhile, the province’s policy was rudderless because of the revolving door of ministers. Gov. Julio Cobos went through five security ministers during his 2003–7 administration, with each change moving policy in directions that were not thought out. In 2004 the government considered allowing municipalities to create their own armed police forces. In 2007 Cobos proposed tough new methods of law enforcement such as wiretapping, saying that “we are going to privilege life over the laws” and put “limits on rights” to combat crime. But his anticrime plan was heavily criticized for involving officials with connections to past abuses, such as the Bordó killing and the Proceso, all of which again pulled security policy into long-standing political schisms rather than keeping it above the fray.

Rights groups and opposition legislators were able to quash these proposals. But their posture remained essentially defensive, deflecting harmful laws instead of promoting progressive ones. Just as with controversial issues in any country, legal opinions and legislative debate may clarify the law, but they often do little to resolve the political tensions over it. This lack of clarity is often caused by officials who hammer away at due process and accountability as harmful to the fight against crime. Nowhere were the consequences of that attitude displayed more clearly than Mendoza’s hundred-year-old prison, built for 900 prisoners but holding over 2,200 and where overcrowding, inhumane conditions, and continual riots and killings have prompted international condemnation. However, in response to a ruling by the Inter-American Court of Human Rights in 2004 in behalf of Mendoza’s prisoners, the vice minister of security attacked the human right lawyers sponsoring the petition for “not being there for the victims of crime.”⁹¹

Such administrative, political, and institutional conditions also overwhelmed the new accountability agencies. The IGS quickly became inundated with minor complaints, personnel disputes, and other cases that ex-

90. “Más sobre delitos juveniles,” *Diario Uno*, August 12, 2002, 21.

91. Pablo Salinas, a lawyer who works with detainees, interviews by author, June 2004 and August 2005. See also Jorge Fernández Fojas, “No hay que politizar o usar partidariamente a la cárcel,” *Los Andes*, August 14, 2005.

ceeded its capacity to process them. But efforts to separate minor administrative charges and serious accusations, which would have lightened this load, were blocked by the government and police. The original blueprint for the IGS included training civilian investigators, but because of the lack of resources about 90 percent of investigations of police misconduct were carried out by police officers working in the IGS.⁹² Furthermore, the IGS's structure allowed it to become a conduit for political interference. The agency was run by three commissioners, each named by one of the provinces' three main political parties. One former IGS commissioner pointed out that these commissioners were often going to the press and contacting legislators from their respective parties.⁹³ For example, several members of the Junta de Disciplina said that the Peronist commissioner—rewarded with the appointment after losing an election—was in constant contact with the party during investigations, thereby compromising the integrity of both the commission and its work. Meanwhile, citizens were suspicious of the IGS not only because of such compromises but also because they could not easily access it—the police housed it deep inside police headquarters, which intimidated anyone coming with complaints. Meanwhile, because its job is to follow up on the IGS cases, the Junta de Disciplina did not carry out much work. In view of such institutional weakness, according to one top official the police chief did not feel the need to follow through on IGS actions or recommendations. With no independent evaluation to address these concerns or to follow up on recommendations to create support mechanisms, such as a disciplinary court or internal affairs auditor, most IGS and Junta members have had short stints in office. Without the experience and autonomy that longtime commissioners build up, both agencies have had trouble gaining the accountability they need.

In Mendoza, police preparation and police work need to be better integrated. As the IUSP's director acknowledges, the institute is strong on theory but weak on the types of practical questions and training that prepare officers to prevent the existing and evolving forms of crime. In part because of this weak education and in part because of the lure of the private sector, only 25.5 percent of IUSP graduates work in professional police operations (Instituto Latinoamericano de Seguridad y Democracia, 2005, 105). As a

92. Gustavo Lucero, serving IGS commissioner, interview by author, Mendoza, June 3, 2004.

93. Jorge Vicchi, former IGS commissioner, interview by author, Mendoza, June 4, 2004.

result of all these problems, claims one official, the pool of annual IUS applicants dwindled from the usual six hundred to fewer than one hundred.⁹⁴ And for those who do pursue long-term police careers, poor human resource management forces them to cover many aspects of policing all at once, putting them “always behind crime instead of in front of it.”⁹⁵

As for the promotion process, despite the very substantive improvements for individuals, said many officials, the lack of incentives or evaluations tie to district results has been a weak link in the overall ascension process. Several districts do publish crime maps, but even with an Office of Victim Assistance there are no comprehensive, province-wide victimization surveys. And even with a Department of Criminal Intelligence, information remains disorganized—finding a detainee’s record requires going to the different courthouses, as many judges grumble.

Adding to the frustration in the courts is the stalled penal process code. The cause is mostly financial, leading one judge to deem the code a “First World reform with Third World money.”⁹⁶ As in the police academies and other agencies, tight money also has exposed generational differences. According to the president of the province’s Supreme Court, criminal judges and prosecutors who have been in their positions for fifteen to twenty years resist any kind of change.⁹⁷ Many others blame the police. For example, the province’s district attorney said that the police are simply incapable of carrying out an investigation.⁹⁸ But police officers, by all accounts, were handed a new set of roles without enough preparation for structural change. The slow and erratic transfer of investigative responsibility to the *Fiscalía*, in particular, left them with continuing but unofficial control over most criminal investigations, causing a great deal of bureaucracy and frustration. Complaining that they typically were spending an entire day completing the paperwork for a dossier, many officers say that they began to back off from this role, thereby leaving this key step in the criminal justice process without clear control.⁹⁹

94. Hugo Alberto López, subcommissioner, *Policía de Mendoza*, interview by author, Mendoza, August 15, 2002.

95. Hugo Duch, director, IUSP, interview by author, Mendoza, May 31, 2004.

96. Daniel Corrello, judge of instruction, interview by author, Mendoza, June 1, 2004.

97. Jorge Nanclares, president, *Mendoza Supreme Court*, interview by author, Mendoza, June 1, 2004.

98. Rodolfo González, attorney general, *Mendoza Province*, interview by author, Mendoza, June 1, 2004.

99. Carlos Puebla, subcommissioner, interview by author, Mendoza, August 16, 2002.

Community policing has also fallen behind expectations. Most of the province's high-conflict areas do not have community or other innovative forms of policing, and the citizen committees set up in other areas rarely meet. The security councils established by the 1999 provincial reform rarely meet as well, and less than half of the projected number of department security councils were set up after eight years. Rotation of officers also prevents the police-citizen bonds that underlie real community policing, particularly in view of the differences in municipal policy. As in Buenos Aires Province, mayors can have vastly different approaches to policing, so that officers moving just within the capital area may have to adjust to very different expectations. In May 2004 the lower chamber of Mendoza's legislature proposed allowing municipalities to form their own armed police forces—without mandatory training or reform—which would have multiplied the problems of poor police accountability. The mayor of the capital city pushed for this proposal, citing polls that “73 percent of people are demanding greater security,” but opposition by the provincial governor eventually killed it.¹⁰⁰ However, reflecting the lack of control and clarity from above the mayor of Mendoza city still went ahead and created his own “community police,” who were just another poorly trained group that seemed to do little more than harass teenagers and street vendors.¹⁰¹ Although they were boosted by public support and slick public relations, the community police were disbanded in 2005 after their officers killed two civilians. But since then the city and many other areas have formed new community police agencies using money received in the Emergency Law of 2008.

Nevertheless, community policing remains the pivot for change. Building their own versions of problem-oriented policing, several municipalities have enacted extensive social programs to back up the security forums and other citizen-centered provisions of the 1999 reform. For example, the mayor of the municipality of Las Heras (250,000 residents), which is the poorest part of Mendoza, enacted a set of wide-ranging changes responding to the security concerns identified by residents. Programs targeting youth truancy, alcohol consumption, and bus stops were among the municipality's well-conceived responses.¹⁰² Each one of these projects is based on data

100. “Los intendentes radicales se pelean por el proyecto de dar armas a policías municipales,” *Los Andes*, May 30, 2004, 1A-2A.

101. Author observations on patrol with the Policía Municipal, Mendoza, May 31, 2004.

102. Rubén Miranda, mayor of Las Heras, interview by author, Las Heras, June 4, 2004.

reported directly from the community (Guzmán et al. 2002). Thus both policy evaluation and citizen participation are incorporated into the reforms. Various links to the mayor's political operations led to some criticism, but this joint effort did help to publicize activities, galvanize volunteers, and bring in other social services.

Together, such local developments may also help tip the balance in Mendoza's continuing swings between traditional and problem-oriented policing. Despite its vacillation, the Cobos administration boosted police accountability by transferring the IGS into the province's main administrative office (Dirección de Procesos Administrativos). As part of this move the IGS staff more than doubled, with civilian inspectors taking over most investigations from the police. The IGS also received more vehicles and an information system that enabled it to be in continual contact with *comisariás*. In retrospect, however, some of that contact was presumably not appreciated by some officers in those stations. In late 2009 the agency began investigating reports that police had been holding parties in various stations. It is certainly a public relations boon for the IGS to share headlines with "sex parties," and such publicity may bring it the kind of public awareness that gives it a stronger hand in accountability. Such awareness might be useful as the growing number of crimes and youth gangs persuade officers to fall back on traditional practices. Checking a person's police record is still a common basis for detention, and more youth are being sentenced to life terms.¹⁰³ Linked to this approach is the continuing lack of services for released inmates—a situation that, society is increasingly realizing, is a cause of crime in the province.¹⁰⁴

According to Arturo Lafalla, the governor who set the reform train in motion, the essential problem was that the government did not provide leadership or hands-on direction for the police. Instead, it named the police chief and then left it all up to him. Despite rampant deficiencies and incompetence, he said, the press, society, and political opposition did not pressure the government to improve policing. Up against such political and institutional conditions, "we were never able to implement the changes."¹⁰⁵ Since

103. Author meeting with heads of the Mendoza Penitentiary System, Mendoza, February 21, 2006.

104. Aida Kemelmajer de Carlucci, minister of justice, Mendoza Supreme Court, interview by author, Mendoza, June 1, 2004.

105. Arturo Lafalla, governor, Mendoza Province, interview by author, Mendoza, June 3, 2004.

then, however, public pressures may have ended that hands-off approach for good. Celso Jaque, elected governor in 2007, was determined to fortify and expand the reform. But one of his first concrete plans, the September 2008 Social Accord for Security, was a repertoire of many *mano dura* approaches and rhetoric, triggering fallouts with rights and community organizations that had backed his candidacy. Many of those organizations and the officials they support have worked to keep the 1999 reform in the public eye and develop projects to support it through the many political changes since then. The drop in killings by police on the street and in police stations indicates that their efforts have not gone unrewarded. Thus even though reform has shown its lasting power by putting problem-oriented policing on the ground, it still needs to stay one step ahead of the political and institutional obstacles that mount along with the crime rate.

La Rioja

La Rioja is a province typical of northern Argentina—poor and rural and where nearly three in every four workers are employed by the government. Home of the Menems, it has its own powerful family dynasty. Unlike other provinces, though, it has developed conditions amenable to citizen security reform such as low crime rates and a government that, with a detailed policy blueprint and written manual, has been attempting to recast the provincial police force based on a community-oriented model (Montbrun and Berton 2005). Although such efforts have had more consistent political support than those in Mendoza, as in Buenos Aires reformers' reliance on that support leaves them vulnerable to turnovers in officials. In addition, as in Mendoza they also face a limited institutional and financial capacity.

These efforts began in 2000 when the country's building economic crisis led to a police work stoppage and other disruptions that prompted the government to restructure the force by placing a new Security Secretariat and a police Office of Strategic Planning on top. Despite many subsequent changes in government after provincial elections, this effort led the way to the 2003 strategic plan that envisioned a radical transformation of the police based on a community policing model. According to the security secretary, this change was designed to give citizens "responsibility" and police officials clearer expectations.¹⁰⁶ To start off, the governor and government

106. Jorge Viñas, security secretary, La Rioja Province, interview by author, La Rioja, July 25, 2005.

minister created a support network in the provincial government.¹⁰⁷ The effort itself was spearheaded by four coordinating bodies: a Strategic Government Coordination Committee (Comité de Coordinación Estratégica Intersectorial Gubernamental), Intersectional Operational and Coordination Councils (Consejos Operativos de Coordinación Interseccional Zonal, COCI), a Community Policing Planning and Implementation Team (Equipo de Planificación e Implementación de la Policía Comunitaria), and Neighborhood Community Policing Councils (Consejos Barriales de Policía Comunitaria). Although it sounds like bureaucratic overkill, these four entities were focused on two of the weak points of problem-oriented policing: a lack of coordination among state agencies and variable application of policies in the neighborhoods. In response, these entities brought together security officials with social services and central actors such as schools and churches with the explicit objective of identifying and alleviating the local sources of insecurity.

The plan was sustained, like the forums in Buenos Aires Province, by pilot community policing programs in the capital city's *comisarias*. Aimed at improving police-community cooperation and problem resolution, these efforts were a mix of traditional and preventive approaches. Specific initiatives included home visits by the police, crime mapping, registries of uncivil behavior, and educational seminars on issues such as domestic violence. Those efforts were implemented most widely in two of the capital city's seven *comisarias*, the fourth and the fifth, which were restructured to further encourage problem solving through foot patrols, neighborhood meetings, and incentives to develop neighborhood projects. These changes were popular among both residents and police officers, prompting other communities to ask for such programs or to set up prototypes such as the collective warning *alarmas comunitarias* that were also established in Mendoza and other areas. These changes also led to wider acceptance of this approach, as evidenced by its adoption by other provincial cities, as well as by the police academy's addition of community policing courses in 2006.

Even with its wide programmatic scope, the focus of the reform was on youth, regarded as the main source of insecurity in the province. The first step in fact was the formation in 2003 of the Community Prevention Brigade (Brigada de Prevención Comunitaria, BPC), composed of twelve police of-

107. Ángel Maza, governor, La Rioja Province, interview by author, La Rioja, July 26, 2005; Alberto Paredes Urquiza, government minister, La Rioja Province, interview by author, La Rioja, July 2005; New York, November 2006.

officers who worked with young people at risk in twenty-five to thirty *barrios*. In an unusual step for a police personnel process, these officers were selected on the basis of their interests, experiences, and awareness of the issues most affecting young people. Within a few months these officers had drawn up a map of the territories of the city's fourteen major gangs (an estimate), educated people on the services available, and developed strategies to deal with some of the social dysfunctions of youth. The number of groups with gang characteristics jumped from 53 in 2006 to 127 in 2007 (Ibáñez forthcoming). Although this increase reflected better documentation more than an actual increase, it did bring greater attention to the problem through a range of special programs. The Integration Program (Programa Integrar) gives stipends to youths who participate in the "Ecological Brigade," a work program that focuses on gang leaders and trains twenty youths in environmental fields such as maintenance of potable water systems (Celis 2005). According to the program's staff and participants, the training has led to real jobs in the sector, because most of La Rioja is arid desert and so is always in need of water maintenance.¹⁰⁸ There is also an education center for former gang members and a treatment center for youth offenders. In the otherwise desolate neighborhood called Antártida Argentina (named after the country's claimed territory in Antarctica), teenagers in these programs talked excitedly about their textile and other projects. By bringing together policy, action, and education on gangs, this approach avoided the disparate and politicized actions that render most gang policy ineffective.

This policy approach also owed some of its success to the effort to integrate state services. In particular, COCI facilitated interservice programs on school reintegration, support for parents, and antidrug projects such as "¿Ú Choose" to help keep kids away from drugs and crime. In fact, COCI was conceived primarily as a "space" for discussion and policy development, which, in some areas, led to concrete strategies such as focusing on the parents of delinquent youth. In an attempt to redirect both social relations and channels of local power, COCI also intends to enlist cooperating youth to serve as a link between the police and the community. In addition, the Provincial Coordinating Council of the Juvenile Problem (Mesa Coordinadora Provincial de la Problemática Juvenil) coordinates provincial agencies to carry out four types of intervention based on the level of risk of the targeted population: youth who have been arrested repeatedly for crimes

108. Nito Brizuela, staff member, and youth participants, interviews by author, La Rioja, July 27, 2005.

and misdemeanors, youth who commit crimes occasionally (as well as some gang heads), youth who are in a state of vulnerability, and youth who have been exposed to different levels of risk. Responses to each category were tailored by a Matrix Team (Equipo Matriz) composed of police, youth violence agencies, and representatives of ministries ranging from those devoted to education and employment to health and sports.

This collective approach maximized expertise by avoiding the kinds of preset responses likely when just one agency is in charge. One of the more successful initiatives to come out of the Matrix Team was the Education and Work Program that placed a thousand young people in schools or jobs. Together, officials estimate, this range of programs reaches up to 90 percent of the three to four hundred youths at risk of violence and drugs (mainly marijuana, glue, and alcohol). And in areas where such programs have been established, most residents say that the noticeably diminishing crime has reduced their fear of it. With satisfaction, many officials involved in community policing report that parents actually reach out to them for support with their kids. At one meeting at the fifth *comisaría*, the level of trust between local police and activists allowed them to plunge right into a discussion about how to deal with various security issues.

Unfortunately, obstacles throughout La Rioja's state, police, and society are preventing such concrete programs from fully reorienting the provincial police toward following a problem-oriented model. The biggest obstruction is the police. Many of its chiefs flatly assert that they have neither the time nor the resources even for reforms that might make their work easier and more effective. Despite the fact that complaints over resources are endemic in most police forces, the insufficiency of resources in La Rioja is evident. One *comisaría* has just one vehicle to patrol dozens of neighborhoods. Of the six officers on each of the three shifts, only three are actually out on the street because the rest are assigned to guard prisoners or political officials. A community policing project that established small police modules staffed by one or two officers failed when there were no personnel to fill them. Even the community policing fourth *comisaría* has just fifty-eight officers for thirty-one *barrios* inhabited by 35,000 residents, when, according to its personnel, it needs at least 108. Police officers in other capital city districts say they spend up to 60 percent of their time on administration. Most of the ten officers who answered a survey conducted by Aconcagua University and the City University of New York rated human resources, administrative budgets, vehicles, and educational material on community policing as "greatly

insufficient,” and equipment as “nearly sufficient.”¹⁰⁹ Because of their low salaries—about \$250 a month for a street officer and \$400 a month for *subcomisario*—most officers also work an extra eighty to ninety hours for banks and other private business. Thus requests for police personnel to spend more time talking with citizens and attending neighborhood meetings, but without corresponding salary or schedule benefits, are neither well come nor feasible. Such conditions may explain why, according to the informal survey just cited, only about a fifth of officers unequivocally favor community policing, with very few top officials among them.

Such frustration in the lower ranks is used to bolster resistance to change in the upper ranks, even if under closer examination the lack of resources at the root of these complaints is not an indomitable characteristic. As in other provinces, La Rioja’s thin, nontransparent—and, to the police, unjust—distribution of personnel stems from poor planning and evaluation by the Human Resources Department. No regular studies are made of whether the current distribution reflects the city’s overall needs or those of particular neighborhoods. Each *comisaría* always has the same number of personnel, reflecting the lack of management planning and flexibility. Amid disaffection over hierarchies and promotion, the fact that the salary of one retiring officer could pay for two new ones is not lost on any office. In addition, the police force underutilizes the specialists it does have. Of the 10–15 percent of provincial officials who have received special training, such as in financial crimes, only 3 percent are actually using it.

As discussed in previous chapters and in more detail in the conclusion, the implementation of community policing is often out of sync with a problem-oriented approach. As in Bolivia, many police in La Rioja cannot resist the temptation to use community policing in service of preexisting goals. Because it focused on undercover work and information and, above all, on cooperative public projects, the province’s well-regarded Community Prevention Brigade was rebuffed by many of the at-risk sectors that were supposed to cooperate with it. The responses by police chiefs to the first community policing training, based on a series of courses, were also discouraging. Many chiefs sent groups to the first course and others to the sec-

109. This survey was funded by the CUNY Collaborative Project on Community Policing of the City University of New York (CUNY) and carried out by Nancy Barrera and Jorge Galleguillo under the direction and auspices of Universidad Aconcagua (Aconcagua University) in Argentina.

ond, with the result that many officers missed large parts of the training. Or chiefs would send some groups at the last minute, overcrowding classrooms and diluting the effect of the courses. Although hundreds of police officers eventually received the bulk of the training, community policing was not integrated into the three police academies (Escuela Superior [Superior School], Instituto de Formación Superior [Institute of Superior Formation], and Escuela de Suboficiales y Agentes [School of Subofficials and Agents]) until 2006. Combined with the militarized approach to other issues—most of Argentina’s academies still use curricula created during the *Proceso*—La Rioja’s reform has not done enough to dent officers’ perceptions of delinquents as “enemies” and therefore to lessen their suspicious and often aggressive treatment of young suspects. Education and curriculum in general have paid far more attention to civil rights over the last twenty years, but of the forty-two courses that La Rioja’s officers take over the three years of their education, only one is devoted to human rights and only one is on social relations. However, other courses do incorporate these issues, and the curriculum is supplemented by a three-day course by the Human Rights Commission on UN principles. But when human rights are presented primarily or exclusively in a course outside of practical training, they are sidelined in daily practice.

Training and support for police geared toward crime prevention in general are also weak, precluding many opportunities to earn citizens’ trust. As in Buenos Aires, most officers are simply assigned to a corner—“to loo but not to see,” in the words of one officer. Many refrain from acting because they lack instructions, autonomy, and even radios, as well as some measure of confidence that they will be backed up by their supervisors. This lack of reinforcement stems in part from the fact that *comisarios* themselves are not evaluated on management. If the *comisarios* are simply at the station during work hours, as one police official stated, they are considered good—expectations somewhat below those of the most basic of citizen security reforms. Even reforms supported by *comisarios* often do not survive them. According to their subordinates, after La Rioja’s two pro-community policing *comisarios* left their positions, the new chiefs were simply “not convinced” of the need for that kind of policing. Discussions in *comisarias* clearly indicate that among the lower ranks there is a far more intuitive understanding of and support for community policing than among the upper ranks, particularly when specific projects are mentioned rather than genera

110. Groups of police officers, interviews by author, La Rioja, February 13–18, 2006.

or theoretical concepts.¹¹⁰ But in a demonstration of how hierarchical power trumps innovative power, the division among the upper ranks over community policing has left many plans unimplemented. Specific reform goal such as reducing crime were not followed through with a public accounting of how well the goals were met. As the next chapter discusses, such objective and transparent evaluation provides the kind of break with the past needed to build much-needed citizen trust.

Criminal investigation, the core of police work, is also weak in La Rioja. Efforts to improve coordination between the street and the Judicial Police lag, and resource-deprived crime labs solve very few crimes through scientific investigation. Meanwhile, criminal statistics are insufficiently collected, studied, and distributed. A control center compiles and analyzes neighborhood statistics in order to tailor specific responses to them. But its work is limited because, according to the estimates of various officials, only two to three out of every five crimes are reported. Furthermore, the information the police do have is not regularly distributed to the *comisariás*, whose crime maps are usually on paper sheets not readily available to patrol officers. The *comisariás* also lack regular updates on the location, time, and manner of different crimes. The effects of such limited information are compounded by *comisariás'* lack of autonomy to use the information they do have. Citizen security councils and greater *comisaría* autonomy would boost police effectiveness not only by allowing for quicker responses, but also by making residents more likely to work with the local police because they know they will not have to wait for decisions or resources from the center. According to Rauch (1991, 2), "Despite the fact that the police station [is] . . . the most crucial point of police service delivery, the tendency has been for the most promising local cops to be removed from this area of work and trained for a commissioned position in one of the other branches or in the management hierarchy." Such tendencies reinforce the hierarchical forms of power that, in turn, reinforce ineffective forms of traditional policing.

Another weak part of policing is internal affairs—both personnel complaints within the agency and citizen complaints against it. Norms and procedures are followed haphazardly, say police, without even a standard complaint form. Despite an advisory council of citizens and more involvement by nonpolice since 2001, all internal affairs personnel are police officials. Even when investigations appear by all accounts to have been rapid and just, the Security Secretariat reserves the power to make the final judgment on any case. As a result of this police control, despite persistent charges of systemic police abuse in La Rioja, official investigations tend to downplay o

treat each incident as isolated. As officials on the Human Rights Commission added, it takes many years to handle an accusation against a police officer, who, in the meantime, can climb up in the ranks.¹¹¹ The lack of action on killings of youth in La Rioja, in which the police are sometimes suspects, exemplifies this collective negligence.

Tense relations among journalists, citizens, and politicians distort the way in which the police's community-oriented efforts are covered in the media. Police complain that reporters miss critical information because they arrive late at crime scenes and are, in any case, already biased against them, resulting in coverage that has steadily eroded the police's image. In addition, citizens with complaints against the police tend to go to the press instead of the government, which can make fair hearings difficult later on. The lack of a media relations department or liaison in the police often allows such actions to fester into conflicts and suspicions that can take on a life of their own and make the police even more reluctant to embrace reforms that mean more exposure.

Relations between the city and state governments also complicate citizen security reform. Representing different parties, as they usually do, the province's governor and the capital city's mayor tend to promote different policies and, in the process, compound institutional territoriality among social service agencies, such as in education, health, and infrastructure. Frequently pointed out, for example, is the lack of collaboration between the police and schools, which is critical to the success of youth-oriented police reform. In poor regions such as La Rioja, labor policy is also important. But the involvement in reform of La Rioja's Ministry of Industry, Commerce, and Employment (Ministerio de Industria, Comercio y Empleo, MICE), which oversees employment issues, has also been tentative and variable. As the security minister points out, the first lessons learned from the formation of the Community Prevention Brigade in 2003 was that information was not followed up with actual strategies, and that most agencies balked at getting involved in what they regarded as a police matter. Wanting to protect their own turf and community relations amid political uncertainty, the many agencies that made up the COCI and other coordinating committees reduced their involvement after the initial burst of attention.

Participation is also low among established civil society organizations such as the church and the Bar Association, which usually have both the professional background and societal legitimacy to bridge the divide be-

111. Human Rights Commission, interview by author, La Rioja, July 29, 2005.

tween state and society on citizen security . There were also some unintended consequences in the participation that did take place, such as the abuse by COCI youth of their roles. In the CUNYAconcagua survey of citizens and officials on citizen security , twenty groups were identified by residents as being active in citizen security . Of them, though, thirteen were governmental Neighborhood Councils that were funding and directing the bigger local projects. Of the rest, three were small NGOs working on security issues, one was the church, one was a religious organization, one was a sports association, and one was a commercial business.

Along with the private sector, the judiciary has not been able to meet the expectations of reform. Like the police, the judiciary faces continual resource shortfalls. Despite a population boom in the 1990s, over the next decade the province still had only three first-level instruction courts. And even after adopting oral trials in most criminal cases, the judiciary hands down fewer than sixty sentences for every six to seven thousand crimes. Objectivity and coordination are also in short supply. The same judge oversees investigation and sentencing, and the controls over responsibilities such as punishing misdemeanors are not clear . Lack of follow-up and information sharing by the courts are perennial complaints among the police, and particularly contentious have been disputes between the police and the Minor Courts over the handling of youth cases, whose numbers grew sharply in 2005 and have continued to increase since. Judicial weakness also means less consistent law enforcement. For example, because of insufficient collaboration with the police, some citizen security actions such as registries of uncivil behavior have not led to the judicial prosecution they require for long-term impact. Although punishment of misdemeanors often raises concerns about civil rights, documenting and detaining people for such actions without follow-through often mean abuse without results.

One of the biggest causes of disorder and crime in La Rioja and other poor areas is the excessive consumption of alcohol, but La Rioja's detailed Law of Prevention of Alcohol Consumption (Law 71.921) is not sufficiently enforced. According to a police official who is a major proponent of the law, enforcement is carried out through a combination of fines for shops and bars, registration of lawbreakers, and follow-up with juvenile offenders.¹¹² But the law's clear prohibition of alcohol sales after midnight is openly flaunted or skirted through large purchases earlier in the evening. Drug

112. Eduardo Poledri, *comisario* inspector, interview by author, La Rioja, February 13, 2006.

abuse and sniffing glue are even more serious problems with even less effective laws. For example, dealers can still easily buy bicycle glue downtown for sale in the residential areas, and the police estimate that 90 percent of gang members consume drugs (mostly marijuana and cocaine) that come from other provinces and are under the jurisdiction of the PF A, which La Rioja's police criticize for not joining them in coordinating antidrug efforts. More serious obstruction is posed by the police. Dozens of *whiskerías* have popped up on the outskirts of the capital purporting to serve high-quality libations, but in fact they are brothels whose owners are alerted before a police raid.

The CUNY-Aconcagua survey of forty-six community members, twenty police officers, and four government officials has underscored both the doubts and promises of reform in La Rioja. Responses by the citizens interviewed reveal strong support for community policing but insufficient material backing. Although the pool of respondents was weighted heavily in favor of those willing to participate (who in general tended to have more positive views of or connections with state agencies), they were a fairly representative cross section of the capital city's population in terms of class, gender, and geography. Over 57 percent earned under \$700 per month, which is important because of the centrality of community policing to low-income areas. All together, about 80 percent of respondents said that the police listen to citizens and that communications between the police and citizens have improved. The principal reasons they give for this development is the positive change of attitude among the police and the priority given to preventive projects in which the police work directly with civilians. The majority of respondents also pointed out that community policing has made real progress on most key issues. The percentage of those answering that the police have been "very, somewhat, or more or less successful" was 65.7 percent for violent crimes, 67.1 percent for property crimes, 64.3 percent for drug trafficking, 55.7 percent for police corruption, and 58.6 percent for police abuse. Of community policing's benefits, the two main ones mentioned were cooperative projects and the priority placed on youth.

The state, however, has not followed citizens' lead with more support. Requests for community policing by residents served by all seven of the capital city's *comisariás*, based on results in the fourth and fifth *comisariás*, have been met with policy foot-dragging and resource tightfistedness. The otherwise upbeat view in the survey was offset by over a dozen deficiencies mentioned by respondents. The most common were lack of continuity, resources, and government commitment. Such poor responsiveness stems in

part from the territoriality among the social service agencies and from the tense relations between the city and state officials, who, as mentioned earlier, are often from different parties advancing different approaches.

Such politicization is aggravated by the claims of many police officer that the political parties use street officers—as well as youth groups of community policing projects—for partisan activities such as monitoring campaign opponents and putting up political posters. Participation by civil society organizations, which can undercut such politicization, is low. Another alternative with potential is looking to the business improvement districts (BIDs) formed by neighborhood entrepreneurs, which can boost community policing by providing youth with employment and funding physical improvements to the neighborhoods. In many U.S. cities BIDs have improved relations between the police and community, while reducing vandalism, drug trafficking, and other sources of insecurity. But in La Rioja and most Argentine provinces, not enough small businesses are willing to create such programs or even give young people jobs. With the state, agriculture, and mining absorbing most of La Rioja's labor pool, private sector solutions are not particularly viable in any case.

As in other countries, most criticisms in La Rioja are of how community policing is implemented rather than of community policing itself. Their many projects reveal that a core group of officials in La Rioja are committed to problem-oriented policing. And yet grumbling but generally solid support for reform among the population, along with the government's concerted focus on social service coordination, may yet make La Rioja one of the first provinces in Argentina to adopt a comprehensive structural police reform based on community policing. After an impeachment and other political tumult in 2005 suspended the reform, the 2007 elections brought to power the vice governor who favored community policing, and so renewed hope for a return to the reform. New neighborhood initiatives supported by state agencies such as the Citizens' Prevention Secretariat (*Secretaría de Prevención Ciudadana*) were evidence of the continuation of citizen support. But new police leaders have given priority to traditional policing, and "because of political questions," says the director of the province's Community Prevention Brigade (BPC), the overall reform "has been completely sidelined."¹¹³ In fact, the BPC lost its only vehicles, which was a major logistical and psychological blow. Strained relations between the chief of po-

113. Óscar Ibáñez, director, Brigada de Prevención Comunitaria, e-mail correspondence, June 4, 2008.

lice and the government minister have hindered both reform and basic communications. Contentious fights in the selection of a police chief since reform began have also affected even the day-to-day management of basic police activities. "Inaction reigns," says the BPC director, in part because the government is "not advancing any plan or strategy of prevention, and statistics are being controlled so that they do not get out." Meanwhile, "delinquency committed by youth to feed their addictions is in the news every day and has brought the citizenry to a state of alert." But it is this very spiral of criminal acts, public panic, and provincial politics that demonstrates the need for problem-oriented policing based on a new form of citizen and state engagement.

Conclusion

One of the biggest police proponents of reform in La Rioja, police general Luis Gallego, affirms the diagnosis of the beat police officer that opens this chapter: "If we are capable of constructing a new network [of] judicial, municipal, and police officers, if the police could get the resources, if health services and the Neighborhood Center worked with police on [matters such as] substance abuse and uncivil behavior, we would considerably improve our ability to bring security. That is why I insist on community policing, because it is the only immediate solution." In Buenos Aires, Mendoza, and La Rioja, efforts at police reform in Argentina have taken on different strategies, enjoy different levels of support, and face different obstacles. But almost all of these efforts are caught up in a conflict between "public order," in which demands for a crime crackdown tap into the police's authoritarian practices, and "human rights," in which the brutality of past dictatorships, the ineffectiveness of repressive policing, and the expansion of civil society are leading to models of security based on prevention and community involvement. However, because this conflict is unfolding on twenty-three provincial stages, citizen security policy in Argentina will continue to be refreshed by change and debate. In large urban provinces such as Buenos Aires and Mendoza, the weaknesses of past reform efforts are being addressed through more modest and focused efforts. Although most of the poorer rural provinces remain allergic to reform, those with some government reformers, such as La Rioja, are considering proposals that are at least in tune with their particular political and institutional contexts.

Regional efforts are also encouraged by the federal government's attempts to forge a general framework of security reform based on crime prevention, institutional strengthening, and tougher responses. It is that broader dialogue between traditional policing and more problem-oriented policing that makes Argentina more able than other countries to craft proposals in the five areas of reform that fortify each other. As in other countries, however, the outcome of alternative models still depends on whether Argentina can maintain the political and institutional traction to demonstrate results. The next chapter, which brings in additional cases, is about ways to make those results more likely.