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**A Survey of the  
Law Enforcement Agencies  
of Ecuador  
*and*  
Evaluation of the  
USAID/Quito  
Public Safety Program**

FEBRUARY 1970

Office of Public Safety  
Agency for International Development  
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A SURVEY OF THE  
LAW ENFORCEMENT AGENCIES OF ECUADOR  
AND  
EVALUATION OF THE USAID/QUITO  
PUBLIC SAFETY PROGRAM

By

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PREFACE

Ecuador, like the United States and other free world countries, has neglected the development of law enforcement among the institutions that administer justice. The policeman has typically been drawn from the lower origins of society. Often without proper skills or education, he has been put to work at tasks involving one of the most delicate of relationships between government and the people.

In earlier days, the society could hold in check most socially unacceptable behavior without recourse to formality. Population growth, urbanization, secularization, communication, economic development, and many other factors have weakened informal restraints so that society and the institutions of government must rely increasingly on formal control, the first element of which is the policeman.

Ecuadorean society is full of conflict which is healthy for democracy as long as extremism is not allowed to become wholly destructive. The wise application of police power in a democratic state can enhance the fruitful contributions of conflict by protecting rights, checking excesses and minimizing destruction.

Many of the traditions of Ecuador are at the roots of its conflict. Its sharp class division; its economic injustices; its history of "caudillo-style" authoritarianism; etc., all may have contributed to Ecuadrian habits of extremism. Dissent, whether just or unjust (often both), has usually been an all-out affair and the clash of interests a life-or-death struggle for complete power or advantage.

Recently, however, the typical governmental reaction to violent protest has become generally less severe, and protest has become much more common. Conflict has been accompanied by more reforms and more conflicts.

*Perhaps*, it can be concluded that Ecuador is healthier now that the tear gas grenade has replaced the rifle bullet, and the billy club has replaced the fixed bayonet. But, given the justified growth of conflict, and the increasing danger of excess in conflict, the challenge faced by the police can become too great.

The National Civil Police institution has come far in the past ten years. It needs to go much farther. If it continues to want to move in its present direction of improving capabilities to cope with conflict without arbitrarily crushing the dissident, it would seem to be consistent with U.S. interests in this country to help out.

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XII. REFERENCES

## I. INTRODUCTION

U.S. Interests in Ecuador, reported in the FY71 CASP<sup>1</sup> were stated as follows:

- (1) *Hemispheric Integrity* - The maintenance by Ecuador of policies that will not detract from hemispheric political integrity or, however, unlikely during FY 71-73 endanger US security;
- (2) *Development* - The growth of per capita income and the progress of Ecuadorean society toward more equitable income distribution and more representative and effective political institutions;
- (3) *Economic* - The protection of US fishing activities off the coast of Ecuador and of US petroleum activities in the Ecuadorean *Oriente*.

All three of these basic interests can be influenced to varying degrees by US programs and, particularly during the FY 71-73 period, all three will be closely inter-related."

Page four of the CASP says that private investment will be an important element of economic growth, "for which there must be a satisfactory level of order". In the discussion on internal security on pages 9 and 10, the point is made that, "In the short run, the principle danger arising from the lack of public order is not related to hemispheric or integrity or security". But that rather, "The effect on the state of public order and economic development on the other hand could be very important". It is further observed that there is a shift from the urban to the rural setting and disorder and that police capabilities are "stretched thin". (page 10).

The first objective appears on page 13, "The continued capability of the Ecuadorean armed forces to act as a pro-U.S. stabilizing political force and to provide the framework for the increased military capability necessary to meet any serious internal security threat that might arise in the future". Another objective is stated as "More equitable distribution of income so as to increase the welfare of the large majority of Ecuadoreans that live on the fringe of modern society and lessen the likelihood of social disturbances which could result in political setbacks and disruptions to economic growth". (page 14)

<sup>1</sup>QUITO A-33 of February 8, 1969.

Another objective is, "More active participation by members of the less privileged social and economic classes in local and regional institutions, in such a way that they would increasingly make themselves felt in the determination of national policies of political and economic development." (page .)

If these views are still regarded as valid, then the thesis of this report should be regarded as the examination of an important means by which the system for the administration for criminal justice in Ecuador can more effectively contribute to U.S. objectives in Ecuador.

Ecuador's major police force, the National Civil Police (NCP) has been the recipient of technical assistance by an A.I.D. Public Safety program since 1962. In June 1969, the Government of Ecuador (GOE), Minister of Government and Police (Mingov), Lic. Galo Martinez Merchan announced publicly that the NCP would accept no further U.S. assistance. This had followed an unsuccessful attempt to negotiate an agreement of the Fiscal Year (FY) 1969 program when the Mingov expressed dissatisfaction with the amount of U.S. funds devoted to commodity assistance. High ranking police officials insist that they agreed with the Mingov (simply "echoed" their views) and that the President, Lic. Jose Maria Velasco Ibarra, was not consulted.

In August 1969, U.S. Ambassador Edson O. Sessions invited the Mingov to a luncheon where it was agreed that a survey of the National Police would be done by a U.S. police technician. The purpose of the study was to survey the police forces, evaluate the US A.I.D. Public Safety Program effort and recommend future U.S. and GOE actions to overcome the weaknesses identified in the police. (See the terms of reference in Annex Q). The Embassy cabled the request for the technician to Washington on July 24, 1969. The writer arrived in Quito on August 23, 1969, and departed on September 15.

The method used was personal observation of the police organizations, a study of U.S. and GOE records, interviews of U.S. and Ecuadorian officials, reference to publications (listed in Section XII), and materials including some statistics provided by the police forces. Information gathering tasks were allotted to both U.S. and Ecuadorian officials. Care was taken to compare personal observations with information provided from the various sources in an effort to insure the accuracy of data. A field trip of six days and nights covering over 2,000 kilometers by car was taken in the company of three key National Civil Police staff officers. NCP detachments of all kinds were visited in nearly half of Ecuador's fifty-eight major cities and towns and dozens of small rural communities. The trip adequately sampled the two most important of Ecuador's three major regions, the coastal plains of the west and the central highlands, but not the third and least important region (for the purposes of the study), the sparsely populated eastern jungle area or "Oriente".

From the outset, officers of all levels were aggressively frank and forthright. At first, their interest centered primarily around equipment rather than technical needs. They were frequently given to the making of strident little speeches about matters that interested or troubled them, especially in their relationship with "Point Four" (the USAID Public Safety Division) and the U.S. Possibly emboldened by the aggressiveness of Minister Martinez, and somewhat released from their dependency on the U.S. by newfound internal economic support, they tended initially to be overly critical of the U.S. assistance effort, especially the small amount of money devoted to equipment. Their mannerisms would have been offensive had it not been known that such behavior is traditional to Ecuadorians.<sup>1</sup>

They were equally given to emotional and probably sincere statements of their respect, admiration and affection for the United States, a country that seems to assume the dimensions of a giant *patron*. More than once it was said that, "El Senor Presidente Nixon es el gran papa", (President Nixon is the great father.) A common theme present was that in their view, the U.S., as "*patron*" like it or not, *owes* a responsibility to its underdeveloped servant Ecuador, and accordingly is subject to demands. The relationship becomes troubled when the "*patron*" fails to live up to his responsibilities to his loyal (if not particularly obedient) servant. During the last week of the study, their attitudes mellowed and they took more interest in technical rather than equipment problems. At the end they volunteered their desire to reestablish a normal relationship with the US A.I.D.

There was a similar contrast between the attitudes of the unprofessional Customs Police officers and those of the professional National Civil Police. The Customs Police were contrite over their failure to cooperate in past program efforts, they openly acknowledged responsibility for the program's failure in 1966. They constantly doomed their wholehearted desire to cooperate in the recently renewed relationship.

An attempt has been made to give the report a greater orientation toward problems rather than traditional professional conventions centered entirely on the organization, administration, management and operations of police forces. (Some of the problems are gaps in our information and a special section in the report identifies needed future studies.) In this way, the report tries to focus on priority needs for U.S. and GEO attention. *Most of the criticisms of the U.S. assistance effort are presented through Ecuadorian eyes and should not be construed as valid from the U.S. viewpoint. In fact, most of these complaints reflect credit on the US A.I.D. for its tenacity to sound program principles and policy.*

<sup>1</sup>Area Handbook, op.cite p. 320.

The survey report also attempts to compare the current state of the National Civil Police and Customs Police with that reported in an excellent survey<sup>1</sup> done in 1959 by two U.S. Public Safety consultants, Robert K. Thierry and Robert J. Weatherwax.

<sup>1</sup>Thierry, Robert K. and Weatherwax, Robert J., *Report on the National Police Forces of Ecuador*, International Cooperation Administration, Washington, D.C., January 1959.

## II. SUMMARY AND CONCLUSIONS

The justice and order situation in Ecuador is essentially increasing common crime and civil disturbance in the form of riots, land invasions and urban terror by students, labor and peasants often perpetrated by extremist in urban and rural areas. There are historical, cultural, social, economical, geographic and political influences that bear significant on police administration, management and operations as well as the problems they face. They weaken an otherwise strong police system and occasionally obstruct public safety program efforts. Among these are regionalism, social class divisions, personalism in leadership, venality, indolence, fatalism and the lack of administrative and technical talent.

The National Civil Police, however, since the initial public safety survey of 1959 has improved in almost all respects and, in some respects, improved dramatically. The key to this improvement seems to have been the establishment of a sound system of personnel management that permitted the National Police to protect itself from harmful outside interference in personnel management. There is also clear evidence that the AID Public Safety program has in some way influenced the advances that have been made.

The Customs Police, on the other hand, have made few advances, as measured against the conditions that were recorded in the 1959 survey report. The USAID decision to terminate Public Safety support to this unit in 1966 was sound. It seems evident that the National Customs Police will not permanently improve its condition, regardless of the zeal of its current officer staff, without first establishing a system of personnel management similar to that of the National Civil Police.

The condition of the National Civil Police has reached a point where it can entertain the assumption of greater responsibility for coping with the justice and order situation no matter how it might develop. The institution is about halfway to becoming adequate to the present projected law enforcement needs of Ecuador.

Some important objectives of the Public Safety program have been reached, such as the development of a personnel management system, the establishment of a better civil police organization, the establishment of a capability for the control of urban civil disturbances and the development of most aspects of its training institution. Some objectives of the Public Safety program are only about half way along. These include the development of adequate and appropriate rural police capabilities, the establishment of adequate equipment for communications, mobility and its maintenance, the improvement of criminal investigative procedures, civil

intelligence and improved patrol operations. There are some areas in which new initiatives must be made and greater emphasis be placed, such as planning and research, inspections, budgeting youth delinquency and crime prevention, corrections, probation and parole, police community relations, leadership and supervision and improved relations with the judicial institutions.

#### A. THE NATIONAL CIVIL POLICE:

The following comments summarize conclusions reached regarding the specific aspects of the National Civil Police that were studied.

*Organization and Administration:* The National Police organization is good by Latin American standards. Responsibility at most levels of the hierarchy is clearly established. Delegation of authority is average. Lines of command are clear and the concept of staff and technical supervision is fairly well understood and applied. The span of control is too broad at the highest level and in the rural police. Lines of communication are fair. Police strength is inadequate. Police deployment is largely out of balance with actual requirements. The proportion of police strength devoted to primary and secondary tasks is divided about 60/70% and 30/40% respectively, not a proper balance. Strength distribution is geographically inadequate with about 65% of the communities and 35% of the people wholly without police services. Groupings of staff and line elements are fairly appropriate, but could use some important improvements. Division of work is logical except in terms of hours of the day. Administrative functions are adequately separated from line functions, to a degree, grouped according to related service. Direction is fair, although occasionally poor between Quito and outlying organizational elements. Operational emergency planning is good to excellent. However, planning for routine operations and for administration, management, services, budget and resource allocation is poor.

*Personnel Management:* Considerable progress has been made in this area. Many basic needs have been met by progressively more adequate laws. Salaries are average by Latin American standards. Salaries for lower ranks have increased substantially in the past ten years, but actually decreased in terms of buying power for higher ranking officers. Equipment and selection of personnel is excellent for officers and average for nonofficer personnel. Promotion policies appear to be fair and appropriate, but with some evidence of in-house political interference. The conditions of employment vary from location to location. In general these conditions are adequate, although in some places they are poor due to dangers arising from constant violent civil disturbances and crime, poor facilities, poor uniforms, adverse public reaction. Discipline in the personal sense is good. Discipline and the acceptance of department rules and regulations and their application is poor to average.

*Staffing:* Manpower requirements in quality are very good for officers and poor for non-officer personnel. Manpower quantity is about one-half required strength.

*Budgeting:* Is weak in all respects. Requirements are guessed by top levels and do not flow from where the needs exist in the service and line units, especially outside of Quito.

*Equipment:* Equipment for communications, mobility, records, and general office work is lacking or in poor condition in most places. Few policemen are appropriately outfitted with personal equipment for urban or rural patrol. Riot control equipment is neither adequate nor well distributed.

*Facilities:* A few buildings and facilities are excellent, notably in Quito, Guayaquil, Ambato, and Machala, the Training Institute and others. Most facilities, especially in most provincial and cantonal Headquarters for both living quarters and business are poor to inserviceable. Vehicle and communications maintenance facilities that exist are good but inadequate to cover requirements, especially in rural areas.

*Inspections:* Inspection at line units and in rural areas are rare and informal. Some remote detachments are never visited. Technical inspections, the responsibility of the Technical Staff, are informal, unplanned, without follow-up and rare.

*Coordination:* Coordination with Military elements is good with apparently good formal and informal relations at all levels. Coordination between elements within the institution is spotty.

*Intelligence:* The Information Service lacks necessary funds and the quality of personnel is wanting. Training of personnel and an improved records system is needed. Little coordination between the Information Service and police elements outside of Quito is noted. Systematic compilation and analysis of data and production is needed.

*Public Information:* The small Public Relations Department has been given some importance and maintains good relations with local press, TV and radio. Other public information efforts are spotty but a few outstanding examples are noted.

*Reporting:* Reporting from field detachments regarding status of personnel, equipment, and other administrative matters is adequate. Arrest reporting is shallow and a regular flow of information related to operational matters is confined almost entirely to the local detachment headquarters and verbal reports. Most of this reporting is incomplete and inaccurate. Little care is given to correcting errors.

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*Directing:* General Orders are issued daily but relate mostly to administrative. Procedural direction in the form of pamphlets relate mostly to training. They are sparsely distributed and not well utilized. Most procedures are established by laws and executive decrees and do act as departmental policy.

#### B. THE CUSTOMS POLICE:

*Organization and Administration.* The organizational structure of the Custom Police is average. Functions are grouped appropriately and there is unity of command, a fairly clear establishment of responsibility with average delegation of authority. Lines of command and communication are clear and logical. However, most of the primary and secondary functions don't. This is due in great part to widespread pervasive political interference in normal day-to-day operational matters, the absence of qualified personnel at all levels, but particularly in the officer corps due to the total absence of a reasonable personnel management system and career tenure. The lack of planning, inspection, accountability and direction, supervision of leadership, as well as all sorts of equipment and facilities and of any sort of training program render this organization practically ineffective with the exception of the dedicated activities of a handful of conscientious officers who daily function in mortal fear of the loss of their job through treading upon some political toes.

Of the 41 officers in the Customs Police trained as participants under the Public Safety program since 1962 only 16 remain and these have not advanced in rank or responsibility. Much of the equipment, with the exception of some communications equipment provided to this force, has either disappeared or fallen into disrepair. Few of the recommendations related to organizations, management, personnel management, resource management or operations have been institutionalized and indeed the training facilities that have at one time been established have disappeared.

Although it is clear that the present staff of the Customs Police realize that their past failures to cooperate in the program resulted in the withdrawal of US assistance and their subsequent loss of capabilities and wholehearted desire to fully cooperate on all aspects of a renewed program, it is clear that in the absence of the establishment of career tenure and sound personnel management practices, no US effort will succeed in institutionalizing the improvements sought. The present legislative proposal for improving the personnel management of the Customs Police is not adequate. Only if the Customs Police is successful in establishing into legislation a personnel management and career tenure system very similar to that of the National Civil Police can there be justification for continued US assistance of any kind to that institution.

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*THE NATIONAL DIRECTORATE OF INTELLIGENCE:*

In the National Directorate of Intelligence it is clear that the training role performed by this organization appropriately fills the police intelligence training needs of the National Police and should, therefore, receive appropriate US assistance. Moreover if it continues to function apart from the military as a centralized training facility for members of various military and law enforcement elements, the resulting increase in personnel contact between agents of these units will almost certainly improve cooperation and coordination between them. Should the DGI be disbanded for any reason, the Civil Police Intelligence function that it is presently carrying out for the National Police should be transferred into the National Police Institute and further assisted by AID Public Safety Advisors.

*INTERIOR TRAINING GROUPS:*

The US A.I.D. has encouraged the employment of interior training groups to bring training instructors to small police detachments throughout Ecuador. Often the local detachment is merely advised by message that the team is coming and what must be done to prepare for the training. The team usually consisting of two or three junior officers and a Public Safety Advisor, is assembled and prepared at the Institute in Quito. When it arrives at the detachment, it gives perhaps two weeks of instruction to the men and then departs.

Although general enthusiasm for the Training Groups remain high, the training lacks some effect because detachment officers and NCOs do not fully participate. Therefore, procedures taught to the men are often not enforced by joint leaders after the Training Group departs.

III. RECOMMENDATIONS

PUBLIC SAFETY PROGRAM OBJECTIVES

To improve the National Civil Police to maintain reasonable levels of justice and order under law to facilitate constructive change and growth necessary to insure relationship between the U.S. and Ecuador conducive to the protection of all mutual investments and national interests.

Improvement is needed in the NCP and other related GOE elements in:

- Planning
- Budgeting
- Inspection
- Youth Delinquency Control
- Criminal Investigation (including police/court relations)
- Police Intelligence
- Patrol
- Rural Police Operations
- Equipment
- Resource Management and Maintenance
- Police Community Relations
- Detention
- Training
- Supervision and Leadership

Required Public Safety Program Resources:

	<u>FY 1970</u>	<u>FY 1971</u>	<u>FY 1972</u>	<u>FY 1973</u>
U.S. Technicians (4)	110	120	120	120
Participants (13)	40	40	30	30
Commodities	70	25	25	25
Other Costs	<u>20</u>	<u>20</u>	<u>14</u>	<u>14</u>
	240	205	189	189
Capital Assistance:				
Loan to NCP	\$1,000,000			
Transport	300,000			
Communications	400,000			
Training and Operations	300,000			
TOTAL	\$2,000,000			

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## COUNTERPART RELATIONS

Selected elements of the police organizations should be identified for establishing stronger counterpart relations. Emphasis should be placed on the office rather than the man whenever possible. If a program with the Custom Police can be mounted, each advisor should establish relations with officers responsible for similar functions in both the National and Customs Police. This will help create a cross-pollination between the PN and PA, sustain a healthy competition between them, establish possible informal lines of coordination and facilitate the concentration of the advisor's work his area of specialization with both forces.

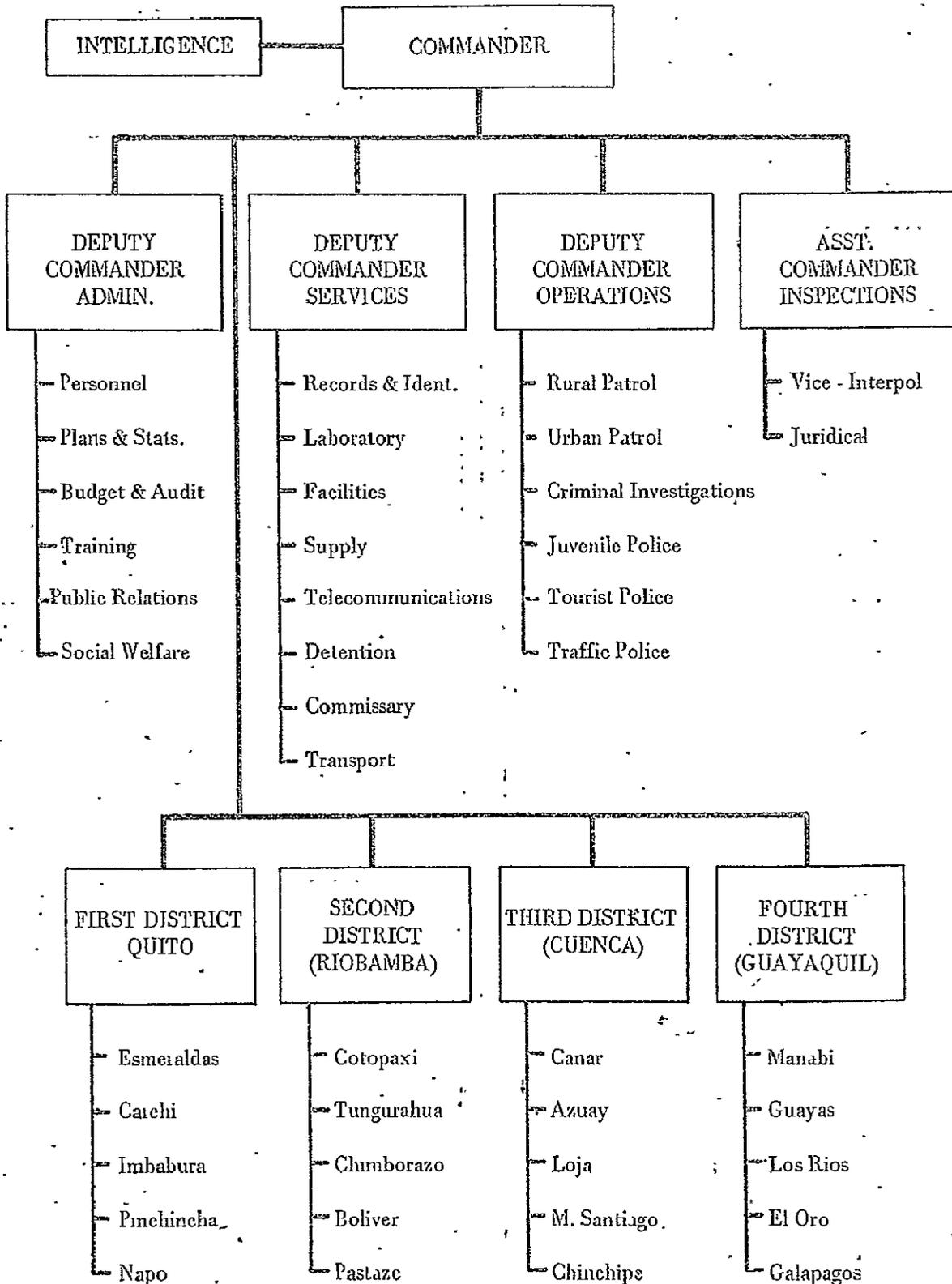
A suggested breakdown might be as follows:

	<u>NCP</u>	<u>Other</u>
Chief Public Safety Advisor	Mingov Chief Dep. Chief Members of General Staff	Chief Juv. Trib. Traffic Supreme Court Magistrates
Public Safety Advisor (Investig)	Chief SIC Chief Intel. & Deputies Group Chiefs	Chief DGI Deputy Instructors
Public Safety Advisor (Gen)	Chief Plans & Ops Chief Inst. of Tng. Chief of Urban Chief Dept IV Traffic	
Public Safety Advisor (Rural)	Chief Rural District & Province Chiefs Rural Police School	

If a program with the Customs Police becomes feasible, a specialist in Customs Law Enforcement should be established.

This concentrates the advisor on those key officers at the highest levels who are responsible for the areas where we wish to encourage development and at a suitable level. The advisor can perform best as catalyst for the young bright ones enthusiastically pushing upwards against the natural inertia of their superiors.

RECOMMENDED ORGANIZATION OF THE NATIONAL CIVIL POLICE



#### IV. THE LAW ENFORCEMENT, JUSTICE AND ORDER SITUATION IN ECUADOR

##### A. HISTORICAL

The stability of Ecuador compares unfavorably with much of Latin America. Since 1830, there have been forty-eight elected presidents (most of whom have not finished their term) and seventeen constitutions.

Ecuador moved late into the twentieth century. The movement has been accompanied by a spreading popular dissatisfaction with her deep social, economic, and political injustices. Ecuador has thus suffered a high level of civil disturbances. Unrest has apparently been sharpest when the central government, especially the executive, has exercised arbitrary powers on unpopular issues. Several chief executives have been forcibly deposed and some killed. Disturbances ran high in the period preceding the military takeover in 1963 and then diminished when the provinces were placed under military government. There is evidence that some disturbances have resulted in positive government actions to get at root causes as the purchase and distribution of nearly a quarter of million acres of land following the March 1962 peasant takeover of a plantation near Tenguel. This dispute had been handled with minimum government force in contrast to the tough government measures applied against the Spring 1959 riots in Guayaquil that resulted in many deaths and injuries and the declaration of martial law throughout the land.<sup>1</sup>

Disturbances increased in the period leading up to March 1966 when the military junta transferred power to a civilian provisional government. Since then, civil disturbances have continued, usually associated with regional disputes, political events (such as elections) and the school year cycle. Terrorism, in addition to civil disturbances is becoming more prevalent with greater evidence of firearms and explosives.

Rural guerrilla activities were initiated by communists during the late 50's and early 60's, but with a notable lack of success.

Common crime, never a significant factor in Ecuadorian history, has become much more serious in the 60's. The criminal case rate (cases bound over for trial) per 1000 population has increased from 2.70 in 1958 to an estimated 4.36 in 1969.

<sup>1</sup>Area Handbook, op. cit., pp. 480-482.

## B. CONTEMPORARY

The current threat to Ecuador is the disruption or arrest of many forms of economic, social and political development by the destructive effects of civil disturbances, terrorism, subversion, insurgency and common crime. The country is vulnerable because it is underdeveloped, poor, divided, politically volatile and suffering increasing social disorganization. Also, the system of government and authority is continually under the attacks of a variety of extremist organizations, some possibly supported by outside interests such as Communist China and Cuba. A pamphlet used for student agitation was shown to the writer by Mingov Martinez. It was a verbatim translation of one used by French extremists during the disorders of 1968.

Some regionalism, as well as self-centered political stubbornness, personality "cultism", and bellicosity prevents the development of large political organizations. This also prevails among the extremist parties of the left, such as the Communist Party of Ecuador (PCE), the Communist Party of Ecuador/Marxist-Leninist (PCE/ML), the revolutionary Communism of Ecuador (CRE), the Lefist Revolutionary Movement (MLR), the Revolutionary Socialist Party (PSR) and the Popular Democratic Union (UDP).<sup>1</sup> These are fractionalized and often pull at cross purposes. Considerable efforts are made to discredit government authority, often targeting on the police. Leftist extremists have also succeeded in gaining some control of student, labor and peasant organizations. "Land invasions", (Occupation of private lands in rural and suburban areas) of many kinds are prevalent throughout the country. (See Annex F).

The problem of riots is greatest in the capital city, Quito, (pop. 500,000), and the large coastal seaport of Guayaquil (pop. 700,000). They frequently occur in the small provincial and cantonal capitals as well.

The 152,000 secondary students present the greatest source of trouble in the form of urban civil disturbances and terrorism with the urban poor following close behind. The problem is confined to a minority within the less disciplined public school system, but the trouble caused is substantial.

Between July 1, 1967 and September 1, 1969, Ecuador suffered 956 riots and 53 land invasions requiring forceful police intervention.\* During these violent

<sup>1</sup>NIS p. 61.

\*The writer, returning from a field trip was prohibited from entering Quito for six hours as rioting mobs were attacking and burning vehicles (September 5, 1969). During the same trip, he had observed a terrorist shooting and bombing attack outside his hotel in Guayaquil and molotov cocktail throwing mob of armed high school girls in Puerto Viejo, a public manifestation in Latacunga and garbage strikes in six towns. In every police barracks visited, the men sleep with a pack, helmets, riot baton, two or three gas canisters, a gas mask and either a carbine or revolver, all within arm's reach.

encounters, 500 rioters have been injured and seventy-four killed (twelve by police); 256 police have been injured and thirteen killed. The police clinic in Quito alone reports an average admittance of ten gravely injured policemen a month and thirty fatalities a year.

The court system is on an average 4.4 years behind in the adjudication of criminal cases. Of the 8,191 cases initiated in the first six months of 1969, the Supreme Court reportedly resolved 6,070, but had a backlog of more than 53,000 pending criminal cases. (See Annex A).

An estimated 90% of arrested suspects are usually set free between three and seven days after arrest. Police records show an alarming rate of recidivism, some criminals being arrested up to an average of ten times a year.

Further growth of social and economic turbulence can be expected. The population growth (3.4%) alone would insure this. An estimated fifty-six percent of the population is nineteen years old or younger. This proportion should grow considerably in the next ten years.

The growth rate in urban areas is nearly twice that of rural Ecuador due partly to migration, especially to the towns of the coastal areas.<sup>1</sup>

An estimated 50% of Ecuador's children are illegitimate. Government institutions responsible for education and juvenile crime prevention are not equipped to cope with the increasing problems of youth. The Juvenile Court was unable to provide even basic statistics for this study.

### C. SPECULATIONS ON THE FUTURE

Ecuador can count on more civil disturbances in its future. These will probably be prevalent in the large cities and towns, especially in the coastal region. They will probably become more serious as population concentrations grow. Central and local government will probably grow in influence over the daily activities of Ecuadorians and the people affected will more likely react violently to unpopular decisions in various areas of government activity. People will also come to expect more of government and react when services are not forthcoming. Governmental attempts to keep order will necessarily involve repressive measures. Most of the people will probably accept this as long as the repressive measures are legal, not abusive and relate to issues they can understand, (depending, of course, on whose ox is being gored.)

<sup>1</sup>NIS p. 37.

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Organized political subversion and insurgency will continue, but be fragmented and disorganized as always. The current trend toward more drastic measures by extremists engaged in urban terror will probably continue, but occasionally to the advantage of the authorities if the government continues to use appropriate restraint in the application of force and improves sophistication in the investigation and prosecution of crimes committed by terrorists.

Extremist agitation will continue to be successful in urban areas among students, disadvantaged "slum" youth and some labor. The emergence of a highly effective radical leader able to secure a broad following could pose very serious problems to the government. This will be especially true if the government persists in its habits of corruption and civic irresponsibility.

Agitation in rural areas will also continue, but its success will be largely confined to places where social disorganization has already occurred. It will manifest itself in land invasions and agricultural labor strife. Guerrilla type activity has been generally unsuccessful in the Ecuadorean scene, and may never appear as a significant threat.

The National Civil Police (NCP) will continue to play a major and vital role in the management of the threat by exercising governmental authority among the people. The NCP, however, will need to strengthen institutional as well as operational weaknesses to meet growing problems in both urban and rural settings. The Police image among the people has improved notably. Restraint, and the use of non-lethal control equipment and techniques, has improved substantially their ability to properly control disturbances in contrast to the bloody clashes of the 40's and 50's. Most important, the police now seem to grasp their role of constant interaction with the people of the community to prevent unlawful behavior rather than sitting in cuartels waiting for something to happen. In turn, the people seem to better understand the policeman's role among them and increasingly accept it. This trend should continue.

V. SOME ENVIRONMENTAL INFLUENCES ON ECUADOREAN  
LAW ENFORCEMENT

A. HISTORICAL INFLUENCES

Following Ecuadorean independence in 1830, police services were decentralized and formed under local municipal councils. They kept their autonomy even when, in 1835, the central government decreed that control of all police would rest with the Minister of State. In spite of this, the "Intendentes" or chief executives of the local communities, had actual control of the small police forces for over a hundred years, except on a few brief occasions when the military took control. In 1937, under a military regime, the government finally established centralized control of the police. The police became highly militarized due partly to the tutelage of an Italian police mission.

In 1938, the "Fuerzas Policiales" (Police Forces) became the "Corps of Carabineros". They were quite military in orientation. They were also feared and disliked by both the people and the Armed Services. The attempted intervention of the Corps against a military "putsch" brought about its forceable dissolution in 1944. As many as 2,500 police are said to have been killed in the conflict. Reformed as the "civilianized" National Civil Guard, with many former Carabinero Officers, the institution began a long struggle to gain professional status against the pervasive interference of various political interests. In 1951, it became the National Civil Police, as it is now known. (Although it is often called simply the "National Police"). In 1956, it absorbed the semi-military Rural Police that had been created by President Galo Plaza seven years before.

The National Civil Police remains a semi-military civil police force with broad law enforcement responsibilities, not unlike some state police organizations in the U.S. The heavy military influence of the Italian mission has faded. The memory of the conflict of 1944, when so many police officers were killed, is still present, and one detects only some confusion with military concepts of operations in the thinking of NCP officers in comparison with other Latin American police organizations.

The officer cadet school, the most important part of the police training "Institute", survived from the old "Military School of Carabineros". Its rigorous three year cadet course, with exacting standards of entrance and performance has helped establish a closely-knit professional officer corps that has succeeded in protecting itself almost entirely from outside political meddling in personnel matters. The graduates of the early 40's are now the top officers of the hierarchy. Except

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for highly specialized officer posts in support functions (doctors, dentists, finance officers) no person becomes an officer without graduating from the "Institute".

Another historical influence, common to Latin American police, is the prevalence of the "Quartel" system wherein each police station is built as a living quarters, as well as a place of business, often with walls and guarded gates. Other personal and institutional idiosyncracies and weaknesses reach back to past practices and are described elsewhere.

## B. GEOGRAPHICAL INFLUENCES

Ecuador is divided into three major regions, the central highlands (Sierra) the sparsely populated eastern jungles (Oriente) and the coastal plains of the west (Litoral). The immense mountains and precipices of the central highlands have significantly isolated the highland people and the capital city, Quito, from the people of the coast with their sea ports and the largest city of Ecuador, the port of Guayaquil (700,000 pop.). Communications between the two regions were very limited until World War II when air, road, and rail travel became effective. This regionalism and the difficulty of communication undoubtedly contributed to the long period of police decentralization and some autonomy from Quito control (as well as isolation from Quito support) that persists in police detachments in most of the land.

Some patterns of behavior differ in the people of the coast and the people of the highlands. The coastal people are described as more volatile, disrespectful of law and order and liberal. The highland people, from which at least 80% of the police come, are regarded as more "timid", conservative, and responsive to authority. Some of the indian communities, especially in the "Oriente", are primitive and wholly outside of Ecuadorean ways.

Transportation and communications for police administration, management, and operations of all kinds are extraordinarily difficult. Vehicles quickly wear out on the often forbidding roads and long distances.<sup>1</sup> Fifty-eight of the 340 rural police detachments are periodically isolated nearly eight months of the year by swollen rivers and ruined roads due to the rains. Of the country's 11,832 miles of roads, only 1,279 miles are surfaced.

The general trend of antisocial or criminal behavior varies from rural to urban settings. Rural Ecuador shows fewer arrests reported for petty or minor crimes and more for such crimes as unlawful homicide and cattle theft. Urban Ecuador reports

<sup>1</sup>The Commander of the "Comandancia" in Machala, capital of the coastal province of El Oro, was asked why he could not get his broken-down jeep repaired. He replied, "The shop where I'm supposed to take it is in Guayaquil. If I could get it to Guayaquil, it wouldn't need repairs."

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more arrests for drunkenness, disturbance of the peace, vice violations and so forth. (Crime and arrest reporting is so unsystematic that only the broadest generalizations can be made and not without risk). Police operations in rural areas, however, are very different from urban. The rural policeman is somewhat relieved from involvement in petty crime because informal social controls are still strong in most rural communities. Finding himself alone, however, he is required to handle cases involving serious offenses with little outside help.

## C. ECONOMIC INFLUENCES

The police institution itself is poor, especially in comparison with neighboring countries. The following chart gives a statistical basis for this comparison (1968 figures):

Country	Population (Millions)	Natl. Police Strength**	Police Ratio (per 1000 pop)	Per Capita GNP(US \$)	Police Budget* (US \$)	% of GNP for Police Budget
ECUADOR	5.7	5,436	0.9	253	\$ 5,880,000	0.40
COLOMBIA	20.1	37,775	1.9	296	52,362,000	0.85
PERU	12.7	33,536	2.6	318	72,500,000	1.71
CHILE	9.3	23,800	2.5	607	75,000,000	1.27

\*All are non-adjusted budgets.

\*\*Countries chosen are those with centralized national police organizations similar in scope of responsibility to the NCP.

Thus Ecuador spends for police less than half the percent of GNP of its poorest neighbor and has half the number of police per thousand population.

It is most difficult to draw a cause and effect relationship between the economic state of the country and law and order problems such as subversion, insurgency, and common crime. Venezuela, with more than three times Ecuador's per capita GNP, suffers much worse subversion and insurgency. Colombia, with a higher per capita GNP than Ecuador, has suffered far more serious problems of common crime, as well as insurgency. Middle class rather than lower class youngsters make up the bulk of membership in the various extremist organizations. Middle class secondary and university students are normally responsible for most of the many riots and civil disturbances in urban areas.

One of the many causes of unrest leading to land invasions may be found among the rural indian families who find themselves uprooted from their centuries-old social organization when the size of the family grows beyond the capacity of

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the family plot to feed. This may exemplify a direct economic cause and effect relationship to civil disorder.

The maldistribution of wealth, especially in land ownership is almost certainly a root cause for civil unrest and conflict throughout Ecuador (only 2.1% of the landowners control 64.3% of the land).<sup>1</sup> Frequent civil disturbances probably disrupt commercial activity in parts of Ecuador. Some large farms in the coastal regions are reportedly less productive due to labor unrest and the threat of land invasions.

On the other hand, conflict in urban areas manifested in such events as strikes and demonstrations and, in rural areas, land invasions, are probably stirring the society to needed reforms that help redress ancient social and economic injustices.\*

#### D. SOCIAL AND CULTURAL INFLUENCES

For simplification, social classes will be referred to as lower (80% of pop.), middle (10-20%) and upper (what's left over). The officer corps of the NCP is, with rare exceptions, middle class. All "line" officers are high school graduates who have passed the three-year cadet course of the National Police Institute. Some are students during their free hours seeking degrees in such fields as law, sociology, and veterinary medicine. They appear to be respected by the people and they can deal with middle and lower class people. The policeman ("tropa") and his NCO are lower class, but usually have primary education. They have ordinarily learned the basics of reading and writing, but are slow to absorb and practice new and sophisticated police techniques. They can usually cope with other lower class people, but have difficulty with the middle class. They usually depend for respect of their authority on their uniform and the weapons they carry.

This sharp class distinction is reinforced by the observance of military discipline, rules of courtesy, and an established system of military justice. The authoritarianism of this environment is substantially mitigated by Ecuadorian respect for individual dignity, whatever a man's class. There is also an Ecuadorian premium on frank, aggressive self-expression by men. Often, a policeman is observed to speak his mind in forceful terms to his officer, who listens attentively as long as the man is reasonably courteous.

\*For example, in May and June of 1969, riots by secondary students succeeded in pressuring authorities to eliminate the entrance exam requirements for public universities. This resulted in the inability of the universities to absorb the 7,000 high school graduates demanding entrance to the universities in October and November. More riots ensued literally forcing the government to come to grips with the problem of providing adequate higher educational opportunities. Police actions throughout these violent disturbances effectively contained the more destructive aspects of the violence. Moreover, police restraint and the use of non-lethal weapons and techniques permitted the force of the protest to be felt without undue damage, thus avoiding the political polarization that often results from more drastic and lethal control measures.

<sup>1</sup>USAID Fact Book.

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The family is the most important and cohesive social unit. Consideration for a family member (or possible close friend) circumvents the duties and requirements of Ecuador's system for the administration of criminal justice. This also applies to people with political influence. Political influence is less pervasive in the National Civil Police, but rife among the unprofessional Customs Police. There will be more comment later on the cohesiveness of the NCP officer corps. It should be kept in mind that throughout the officer's career he is often away from his family, detached to a remote "Cuartel", where his hour by hour companionship is largely with his brother officers and his leader, the "Commandante", a relationship that bears a close resemblance to the family structure. Dismissal from the force is probably an exceedingly severe sanction for misbehavior.

The patron system of personal loyalty, common to much of Latin America, is observed in the police institution. Loyalty and obedience to a superior officer often transcends responsiveness to the regulations of the institution. In return, the officer is obliged to grant favors that may involve the violation of regulations. Loyalty to the institution as an abstract is strong, but obedience to the institution as a collection of rules and regulations that aim to govern behavior in a more-or-less uniform manner, is comparatively weak.

Venality, indolence, and fatalism are found in some measure throughout the institution, but probably to a lesser degree than the government as a whole.

The rigid class system may provide part of a sociological explanation for the prevalence of extremism that results in such frequent social and political conflict. People have been so locked into the behavioral requirements of their station that to challenge the system must require wholehearted aggressiveness focused on the resistance. Although the people seem to enjoy a great deal of liberty in daily activity, the social boundaries appear to be sharply defined and formidable.

#### *E. POLITICAL INFLUENCES*

Ecuador has a family unitary form of government divided administratively into nineteen provinces and the Galapagos Islands, ninety-eight cantons and 835 parishes.

The structure of the central government, established by the Constitution of May 29, 1967, is basically similar to our own, but very weak in the practical execution of governmental policies. The three basic powers are relatively separate with appropriately assigned roles and functions.

The executive is elected to a four year term by popular vote, although the franchise is limited by literacy and registration requirements. The incumbent usually represents the 10% ruling elite which is itself politically fragmented. The President has a cabinet of ten ministries (Government, Foreign Affairs, Education, Finance,

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Industries and Commerce, Agriculture and Livestock, Public Health, Social Welfare and Labor, Public Works and Communications, and National Defense). There are a large number of autonomous agencies including the General-selected Port Authority and the Government Land Reform Agency (IERAC) selected by the President and the Congress. It is important to note that the most important laws originate as Presidential Decrees, that historically the executive and legislative branches have struggled for dominance with the President often seeking support from the military, and that the populace has never permitted the executive to become intolerably abusive through the exercise of arbitrary power. The people will, however, permit a popular "caudillo" to violate constitutional restrictions.

Good administration and management in the executive is unknown due to such problems as a widespread "spoils system" of patronage, politics, family, corruption, non-delegation, rapid turnover, and an absence of any real sense of civil responsibility; in short, instability and irresponsibility. These conditions are relatively less prevalent within the National Civil Police due in part to its internal court system, its excellent personnel system, and the recent growth of professionalism.

The legislative branch is bicameral consisting of a Senate (two from each province, one from the Galapagos, and fifteen "functional senators", who serve a period of four years), and the Chamber of Deputies elected by province on the basis of population (one per 80,000 people) who serve two years. The legislature meets twice annually for sixty day sessions. When the legislature is not in session, business is left to a small Permanent Legislative Commission elected by both chambers. The actual work of the legislative branch is usually limited to the budget which is ordinarily subject to treatment by political meat axe. The NCP has rarely been able to get reasonable or sympathetic treatment of their budgetary requirements. The "functional" senators represent significant governmental, regional, or private groupings, including the Commander General of the National Civil Police.

The Judicial Branch has been the most stable element of government. The system is highly centralized and characteristic of the Continental European/Latin American "Inquisitorial" system. The Supreme Court (magistrates of which are elected by congress for six years and may be reelected indefinitely) exercise supervision over and appoints the magistrates and judges of the lower courts.

The next level is the Superior Court found in most provincial capitals. All laws and cases brought before the various tribunals, are reduced to writing. The judicial process is very slow and subject to routine bribery at lower levels. Higher court magistrates are relatively apolitical and their opinions are respected. The system is regarded as fair, but this may be due to the extreme leniency evident in the high rate of recidivism. Much more study of the courts, especially the Juvenile Tribunal (*Tribunal de Menores*), will be needed in order to better fix the reasons for police inadequacies in criminal investigation, detention, juvenile delinquency control, etc. Suffice it to say there is clear evidence of serious shortcomings elaborated

in later sections of this report. The judiciary plays a vital role in the administration of justice and has a considerable influence on all aspects of police performance. The relative stability of the Judicial Branch of government in Ecuador offers important opportunities for constructive development in the administration of criminal justice. (See also Chapter VII.)

Provincial and local governments are an important element of GOE administration. Historically, the difficulty of communication in Ecuador has nurtured local self-government. Each Provincial Governor is appointed by the President. In the past, the Governor appointed local executives, but now the Political Chiefs of the Cantons and the Political Lieutenants of the Parishes are Presidential appointments. To offset this centralization, the new Constitution provides for popularly elected representative councils at each level. These are particularly powerful in the larger municipalities, which enjoy an almost semi-autonomous state of control over local affairs.

Local executives have some judicial powers in cases of minor offenses. National Police detachments are responsive to policy control by the local executives. Moreover, several local councils have provided support to NCP police detachments in the form of office space, vehicles, and the like.

Also, in many of the parishes where there are no NCP detachments, special police called "Ad Honoreins", are appointed by the executive authority. They serve unpaid on an ad-hoc basis when needed for certain basic police tasks. They have no relationship of any kind with the NCP.

The integrity of the officer corps of the (NCP) has permitted it to resist most undue political influence in personnel administration and management. However, during the nine years since 1960, there have been five changes of heads of state, twenty-four changes of Ministers of Government and Police, and eight changes of Chiefs of the National Civil Police. However, all police chiefs were selected, by law; from top ranks of the NCP officer corps. Policy guidance to the police forces has been erratic. Few political leaders have been able to develop a working understanding of the requirements of civil police developments, even in the instances that they have shown a real interest.

The assignment of the NCP Chief as a "Functional Senator" has given him access to that political arena, but the advantage of a seat from which to raise a professional voice is mitigated by his involvement in an area and function of government where he does not belong.

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\*The NCP commandant in Portoviejo, harried by two days of coping with violent demonstration by a group of high school girls, complained bitterly to the writer that the Governor had not permitted him to arrest several girls who had been throwing "Molotov Cocktails".

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Control of police as arranged and exercised in local communities is sound. Problems arise in areas where local politicians attempt to thwart the authority of the state such as Esmeraldas. Local assistance to GOE police detachments is helpful and a sound principle if the help is not used as a means to improperly interfere in police administration and management. NCP officers recognize this and justly fear some of the activities of local groups (sometimes called Public Safety Committees) who may "donate" a vehicle and later want to dominate its use. Police/community cooperation projects should be encouraged, but administered with care.

Unlike the NCP, the Customs Police have no professional officer corps. Political interference is found in all aspects of administration, management and operations. In this respect it is far more representative of the executive branch of government than the NCP.

## VI. GOE ELEMENTS RESPONSIBLE FOR LAW ENFORCEMENT, JUSTICE AND ORDER

The National Civil Police (NCP) and the Customs Police (CP) will be described in some detail. The format will follow to some extent that of the 1959 survey report to facilitate comparisons, some of which will be made here. The chapter will conclude with a brief description of other agencies that play some part in law enforcement, such as the military, the General Directorate of Intelligence, the Administration of Alcohol, etc. with focus on areas of actual or needed cooperation and coordination with the NCP and CP.

### A. THE NATIONAL CIVIL POLICE

#### 1. Responsibilities

a. The National Civil Police has an authorized strength of 6,178 men and women deployed throughout Ecuador. Its foundation in law is Article 248 of Title XII of the Constitution of 1967. The NCP is charged with the responsibility of safeguarding security and internal order. The article also provides that without detracting from its primary mission, the NCP will collaborate in the country's economic and social development. Only the NCP and the Armed Forces are established as the "Public Force" of Ecuador. The NCP is responsible to the Ministry of Government and Police except during a "State of Siege" or war when the Ministry of Defense takes control of the NCP.

b. Article 254 established the professional stability of the Public Force prohibiting dismissals except by law.

c. The organic law of the NCP was established by Decree No. 2553, Official Record Entry No. 387 on December 3, 1964. It sets forth the organizational structure and functions of the NCP and the authority and duties of its various elements. (See Annex I). The duties are listed as:

- (1) Maintenance of the Public peace and order.
- (2) The protection of the life, property and rights of the individuals.
- (3) Preservation of public morals.
- (4) Prevention of crimes.

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- (5) The investigation and solving of criminal acts.
- (6) Apprehension and custody of criminals.
- (7) Enforcement of the laws emanating from the lawful authorities and in relation with the duties mentioned above.
- (8) To act as an auxiliary force in the military defense of the country alongside the Armed Forces.
- (9) To comply with the responsibilities acquired because of its affiliation with Interpor and
- (10) All other duties assigned to it by law.<sup>1</sup>

At the time of the 1959 survey, the criminal investigations function was vested in the Directorate of Security and Investigations (DSI), a separate element of the Ministry of Government and not responsible to the NCP. The survey's recommendation that the DSI be incorporated into the NCP was put into effect by Decree No. 2553 of 1964.

## 2. *Organization and Administration*

In 1959 NCP organization and administration suffered weaknesses in police personnel strength, an excessive span of control, lack of clarity in fixing responsibilities and functions, insufficient delegation of authority, confusion in grouping primary (operational) and secondary (service and administrative) functions and a lack of inspection. The 1959 survey recommended essentially the grouping of all services in one command and all operations in another.<sup>2</sup> This recommendation did not adequately account for the problem of subordinate command groupings responsible for geographically decentralized districts of police deployment characteristic of a national police force. The districts were all placed under the authority of the proposed "Operations Command", although each district command would have to be comprised of service as well as operational elements. The Ecuadorians compromised in a fairly reasonable way, but missed the point of the need for functional groupings at high levels. There has been much progress in working the difference between lines of direct command authority and lines of staff, technical or functional supervision.

### a. *Authorized Police Strength and Hierarchy:*

Like most police organizations, the NCP is semi-military in character and has an established hierarchy of personal ranks. National rules of military

<sup>1</sup>General Headquarters, National Civil Police. Organic Law of the National Civil Police, Quito, July 23, 1968.

<sup>2</sup>Thierry, op. cit., pp. 31-35; 163-165.

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discipline and courtesy as established in the Constitution are observed. The following chart shows NCP ranks (rough military equivalences), and personnel strength (past, present and requested) by rank:

RANK & MILITARY EQUIVALENT	1959	1966	1968-1969	1970 (Requested)
1. General Officers:				
a. Prefect Commander (Brigadier General)	1	1	4	4
b. Prefect Chief (Colonel)	14	15	12	16
2. Superior Officers: (Field Grade)				
a. Prefect (Lt. Colonel)	18	19	19	26
b. Subprefect (Major)	31	37	40	49
3. Subaltern Officers: (Company Grade)				
a. Inspector (Captain)	80	92	93	127
b. SubInspector 1st (First Lieutenant)	132	139	148	157
c. SubInspector 2nd (Second Lieutenant)	117	141	140	161
4. Officer Candidates:				
a. Cadet	50	50	50	100
5. NonCommissioned Officers:				
a. Sub-Officer 1st (Chief Warrant Officer)	0	6	14	22
b. Sub-Officer 2nd (Warrant Officer)	0	18	17	38
c. Sergeant 1st (Master Sergeant)	94	72	75	102
d. Sergeant 2nd (Sergeant)	308	315	332	431
e. Corporal 1st	0	68	78	511
f. Corporal 2nd (Corporal or PFC)	526	521	529	560
7. Policeman (soldier):				
a. Policeman (Private)	3,555	3,759	4,125	5,504
Totals	4,926	5,263	5,676	7,808

The 1959 survey noted that police strength had actually reduced since the early 1940's, but the police per population ratio was about 1.2 per 1000. At this writing, the ratio has reduced to 0.9 per 1000 in spite of the overall force increase.

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The urban police and men in other specialties such as traffic, investigation, etc., are concentrated in the twenty provincial capitals. The rural are ubiquitously deployed through the country as follows:

## RURAL POLICE DEPLOYMENT:

Posts with 1 man	97	30%
Posts with 2 men	132	43%
Detachments and Posts with 3 men	26	8%
Detachments and Posts with 4 men	20	6%
Detachments and Posts with 5-10 men	33	11%
Detachments and Posts with 11-15 men	4	1%
Detachments and Posts with over 16 men	4	1%
<b>TOTAL POSTS</b>	<b>316</b>	<b>100%</b>

A comparison of urban and rural police deployment by province (against not including traffic, investigation, services, etc., appears on the following page.

The Urban Service reported 8,327 incidents involving an official police action (arrests, investigations, warrants, accidents, etc.) during the first six months of 1969. The Rural Service reported 4,302 during the same period. Men in the Rural Service, however, numbered between 800 and 1,000, about 17% of the NCP strength although they apparently handle about a third of the reported police business.

Figure provides data to further help the reader compare population by province and region, political divisions of the country, rural police deployment, total police deployment, requested police strength, and crime data of 1958 and 1968. From this can be shown that more consideration to crime and population trends needs to be given in the deployment of police personnel. It also shows that only 315 of the 955 political divisions below province level have no police coverage whatever. (two-thirds of Ecuador's communities).

The projected requirement for additional personnel is based solely on the "two-police-per-thousand-population" formula which cannot be regarded as a meaningful guide. The organic law\* itself requires that when determining the authorized strength, the following considerations shall be taken:

- "a. The area assigned to each Division.
- "b. The extent and ease of access to highways.
- "c. Crime incidence for the various categories.
- "d. Population density.
- "e. The need to maintain peace and order in each jurisdiction and
- "f. Other needs and requirements pertinent to the police activity."

To begin with, a comparison of police strength in the major geographical regions:

\*See Annex I.

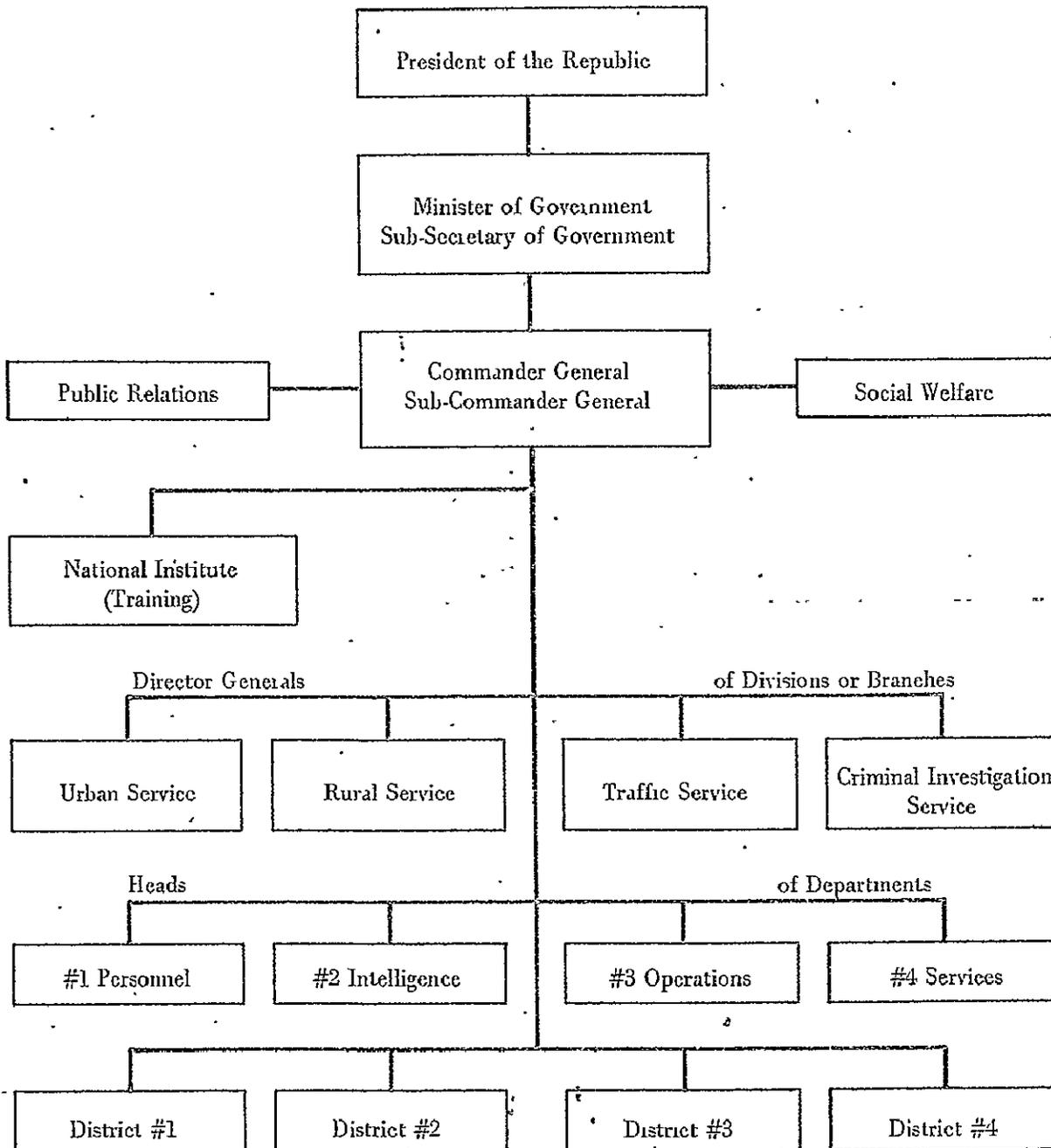
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	URBAN POLICE				RURAL POLICE		
	Officers	NCO	EM	TOTAL	Officers	EM	TOTAL
11- Pinchincha	3	30	521	554	5	119	124
2- Guayas	3	27	888	918	6	121	127
3- El Oro	1	5	57	63	6	100	106
4- Manabi	1	6	11	17	6	116	122
5- Chimborazo	1	7	60	68	2	35	37
6- Azuay	1	5	78	84	3	33	36
7- Loja	1	5	119	125	4	100	104
8- Los Rios	1	5	46	52	6	106	112
9- Tungurahua	1	5	28	34	1	44	45
10- Carchi	1	5	50	56	2	33	35
11- Bolivar	1	2	38	41	1	14	15
12- Imbabura	1	2	35	38	2	14	16
13- Cotopai	1	2	35	38	1	18	19
14- Esmeraldas	1	2	49	52	6	67	73
15- Canar	1	2	35	38	1	14	15
16- Pastaza	1	1	5	7	1	14	15
17- Moiona Stgo	1	2	5	8	1	14	15
18- Zamora	1	1	5	7	1	14	15
19- Galapagos	0	1	5	6	1	6	7
20- Napo	1	1	5	7	1	10	11
Total	23	116	2075	2213	57	992	1049

The division of total police strength by region is: Coastal - 2,400; Central Highlands - 3,150; Eastern Jungle and Galapagos - 2,526. (The Coastal provinces contain about 47% of the population.)

The actual organization of the NCP is as shown below:

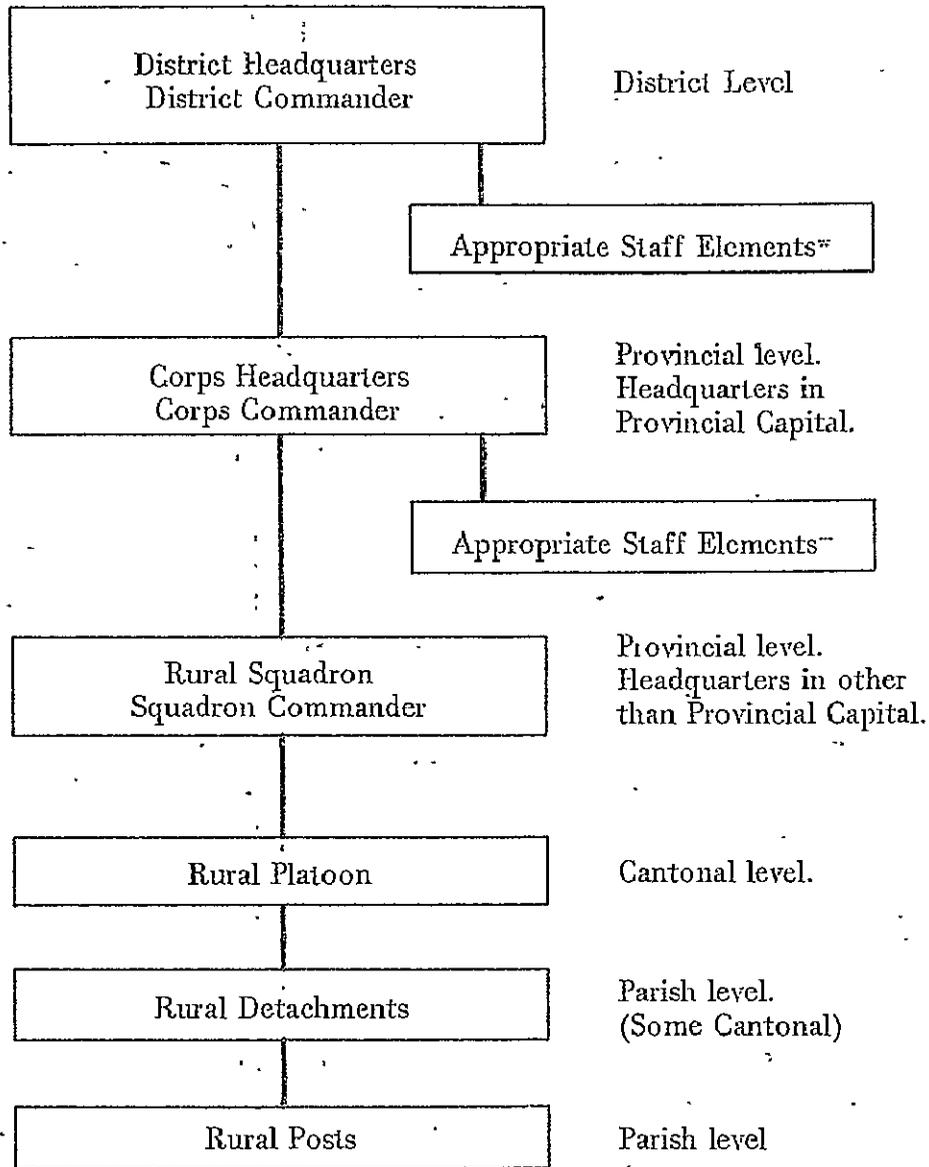
ORGANIZATION OF THE NATIONAL CIVIL POLICE\*



\*The lines indicate the flow of command authority. Each district is further divided into five provincial commands (jefaturas) which in turn have subordinate "detachments" (Sometimes an officer but usually an NCO and a few men in a cantonal seat or urban parish) and "posts" (Sometimes an NCO but usually one or two privates in small urban and rural parishes. There are 117 detachments and 198 posts.

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Organization from District level down is as follows:



\*Includes elements for public relations, intelligence, NCP judicial and an emergency unit.

\*-Includes Urban Service (patrol, mounted patrol, interior guard), Traffic Service (plans, drivers licensing, vehicle registration, accident investigation, records), Criminal Investigation Service (operating groups, identification, laboratory, records, supply, medical, legal service) and Logistic Services (paymaster,

(missing from manuscript)

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The NCP Higher command consists of the Ministry of Government, the General Headquarters and the General Staff. The General Headquarters/Staff is made up of the Commander General and his deputy, the Director General of Divisions or Branches, and the Heads of Departments. (It is sometimes referred to as the "Technical Council").

"Subordinate Organizations", or those responsible in their entirety to the NCP General Headquarters/Staff, are the National Police Institute, the District and Provincial Commands (Corps) (including administrative and service elements), and Rural Police, Squadron, Platoons, Detachments, and Posts.

The NCP identifies certain internal organizational elements as "adjunct organizations". They are:

1. The NCP Internal Police Court (Judicial Section).
2. The Superior Council.
3. The Performance Evaluation Board.
4. The Retirement and Compensation Board.
5. The Social Welfare Office.
6. The Public Relations Office.

Each of these have specific responsibilities and duties that function to some degree independently of the authority of the General Commander. Usually, however, they augment his authority and serve in a normal staff support role.

The reader is referred to the Organic Law of the NCP, at Annex I, which provides a succinct description of the composition, responsibilities, authority, and functions of most of the NCP organizational elements. They need not be repeated here except where special comment is required.

The "Organic Law" does not describe the organization of the various Divisions (or Branches) and Departments. They follow:

Departments:

Dept. #1 - Personnel:

Officers Section.

Non-Officer Section.

Civilian Employee Section.

Administration Section.

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Dept. #2 - Information (Intelligence):

Special Protection Section.  
Crime Against the State Section.  
Special Files - Records Section.

Dept. #3 - Operations (Plans):

Plans and Operations Section.  
Instruction Section.  
Technical Means Section.

Dept. #4 - Services

Juridical Section  
Health Section (Medical-Dental)  
Audit and Payroll Section.  
Commissary and Maintenance Section.  
Communications Section (radio-telegraph, etc.)  
Transport Section.  
Interior Guard Section.  
Construction Section.

Divisions or Branches:

Urban Service

Plans and Coordination Section.  
Records and Statistics Section.  
Jails Section.

Rural Service

Plans and Coordination Section.  
Records and Statistics Section.

Traffic Service

Plans and Coordination Section.  
Drivers Licencing Section.  
Auto Registration Section.  
Accident Investigation Section.  
Records and Statistics Section.

*Department No. 1, Personnel*

The department is commanded by a Prefect Commandant assisted by a Sub-Prefect and ten office personnel. The department is divided into four sections: general ad

<sup>4</sup>The Organic Law requires, that "... when feasible, the various police branches shall adopt the Organic Structure of similar Military Units." (See p. 3 of Annex D). This probably explains the use of the four departments which do indeed correspond to U.S. and Latin American military organizations.

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general administration, officer personnel records, non-officer personnel records and a civilian employee section.

The functions of this department have not change substantially since the 1959 Survey. Careful records on all personnel are kept.

*Department No. 2, Information (Intelligence)*

This department is commanded by a Prefect Chief who has four officers and thirty-one agents in Quito and one officer with twenty-two agents in Guayaquil. Select personnel are appointed intelligence as an extra duty in the provincial corps.

The department is responsible for the collection of intelligence regarding political offenses against the state. It is also responsible for the personal safety of the President (for which a special detail of one officer and three men exists).

*Department No. 3, Operations (Plans)*

This department is commanded by a Prefect Chief assisted by a Captain (who at present is also an attorney), and a small clerical staff. The unit is responsible for the preparation of all kinds of plans (management, operational, tactical, procedural, etc.) which it usually does in concert with the Institute and the other Departments and Services. It also does extra departmental planning with the military, especially in civil disturbance control.

Products of this unit are first reviewed by the General Staff and then issued in the form of published department regulations and instructional materials.

Some products of this unit are: 1) the Personnel Law, 2) Police Procedure Manual, 3) Rural Service, 4) Urban Service, 5) Uniform regulations, 6) Police Penal Code and others.

The development of this unit satisfied to a degree one of the principle recommendations of the 1959 survey,<sup>1</sup> but it needs substantial improvement in such aspects as size of staff and variety of specialties, research material, statistics and basic office equipment. The nucleus organization exists and excellent work especially in legal matters has been done. Much more planning in the management of resources and the development of training materials needs to be done. Assignment to the planning unit should be considered a high honor. Much more collaboration with other staff and administrative elements is needed.

<sup>1</sup>Thierry. op. cit., p. 166.

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*Department No. 4, Services*

This department is commanded by a Prefect Chief. His responsibilities are varied as indicated by the number of sections listed above and have not changed substantially since the 1959 survey.

Description of these sections follows:

1. The Juridical Section which is the internal police court. It functions similar to a military justice system. Subordinate elements of this section are found only in district headquarters. Only rarely do the judges travel to the smaller lower level units.
2. The Health Section maintains a small hospital in the Quito headquarters, an outpatient clinic, a cut-rate drug store and small medical/dental clinics usually down to provincial level.
3. The audit and payroll section is staffed by an auditor/economist with separate sections for the Quito paymaster, the Retired Personnel Paymaster and the traffic and subsistence for enlisted men paymaster, and a retirement section. This section is responsible for the preparation of the budget.
4. The Commissary Section where a cut-rate supermarket is maintained for the men and their dependents. The Commissary is also responsible for building maintenance.
5. The Communications Section maintains the central base station for the interprovincial network, the radio telegraph or morse code network and the radio repair shops in Cuenca, Loja, Quito and Guayaquil.
6. The Transport Section is responsible for the main motor vehicle shops in Quito, Guayaquil, Cuenca and small shops in Loja and Tulcan.

*Criminal Investigations Service*

- Operative Groups (3)
- Laboratory Section
- Identification Section
- Records and Statistics Section
- Property Section
- Interrogation Section
- Medical Legal Service
- Interpol Section

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Generally, the NCP has a good grasp of the distinction between command and staff supervision. (Staff is called "technical" and "administrative" supervision).

Unity of command is generally observed with some limitations, particularly related to the roles of the "adjunct organizations" where responsibility for decisions in certain sensitive areas (punishments, promotion, retirements, etc.) are dealt with in a juridical fashion. The degree to which the Minister or the Commander General may influence these decisions is not clear. There is also the expanded role of the National and Provincial Traffic Councils that provide financial support to the NCP.

Formal delegation of authority is almost adequate. In practice, the present Commander General appears to delegate more than his predecessor, and this often does depend on the individual style of the commander. Delegation at lower levels varies widely. As a general rule, greater delegation is found where distances and poor communications separate the subordinate from his supervisor and less is found in elements physically concentrated. Formal delegation is poor in the management of resources (money and materials).

Accountability in practice is poor with little evidence found of inspection and follow up.

Division of work is logical according to purpose and process or methods applied, hours and clientele. Specialization is rarely practiced by officers, except the non-career or officer hired for his special skills (doctors, dentists, paymasters, etc.) Specialization is more prevalent in the lower ranks of the urban and rural services, traffic, investigation, and services such as radio operators, clerks, cooks, tailors, shoemakers and the like. Less specialization is found in smaller units.

Work in line elements is divided by time according to the traditional Latin American system. In line elements (urban patrol, traffic, and investigation) and in the larger cities where personnel strength is sufficient, the work is arranged in four shifts: The first shift is from 6 a.m. to 12 noon. The second is from 12 noon to 6 p.m. Third is from 6 p.m. to 12 midnight. The fourth is from midnight to 6 a.m. Four companies are necessary. The first company works the first and third shift. The second company works the second and fourth shift and the third company is in reserve (ready for duty). The fourth company is on day off. Most administrative and service elements work a normal eight hour day, five day week. Work is also divided by primary, secondary and administrative tasks, but groupings of these are lacking.

One serious difficulty with the organization and administration of the NCP is the excessively wide span of control for the Commander General and the failure to group like functions into cohesive and well-coordinated organizational elements.

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The Commander General must personally supervise at least fifteen people which is an impossible task. Too much detail requires his attention. This also discourages coordination between elements that perform similar functions, such as traffic, patrol, and investigation (line) or plans and budget (staff) because coordination issues must constantly climb and descend to and from the top of the chain of command. This, and the absence of sufficient formal guidance in inter-unit relationships, partly accounts for the duplication of activities and facilities observed among the various Departments and Divisions (or Branches) and the reported lack of inter-unit coordination and cooperation.

The span of control at most intermediate levels is good and groupings become more logical due simply to the reduced number of officers available in a headquarters to perform special functions. However, at the bottom level, the Province, the span of control occasionally widens with the deployment of the rural police. The span of control plus the difficulties of mobility and communication leave most of the rural police detachments almost wholly unsupervised. They amount to about 1,050 men, which comprises one sixth of the NCP personnel, serving about 65% of the population.<sup>1</sup>

#### TRAFFIC SERVICE

The Traffic Service consists of the four elements indicated above and provides technical supervision or staff supervision to the Traffic Service offices in each of the district and provincial command. Traffic counsels are organized at the central government and provincial levels. Among other things, these counsels do provide equipment for the Traffic Service of the police from funds realized from vehicle registration and drivers licenses, functions that number among those for which the Traffic Service is responsible. Their basic responsibilities and functions have not varied substantially since the 1959 Survey Report. The urban and rural services are each commanded by a Prefect Chief who provides staff supervision to the urban and rural services throughout the country. Each is staffed with a very small group with personnel to assist in technical planning for the two services. Although responsible for inspection of these services, the officers rarely have the opportunity to travel sufficiently to carry out their inspection responsibilities. \_\_\_\_\_, criminal investigation service which is responsible for all criminal investigations nationwide, it has ten officers and 83 agents in the Quito area to cover the province of Pichincha, plus 100 men in the provincial headquarters in Guayaquil and a chief with ten to twelve men in all of the provincial headquarters, plus the cities of Santo Domingo, Quevedo, and Milagro. More about their function will be described under the Investigation Section.

\*Public Safety Advisors report finding rural posts and detachments that have not recorded an official visit by a higher command in five years.

<sup>1</sup>Quick, Bryan. "A Report on the Rural Police Division, National Police of Ecuador", USAID/Quito, April 1967, P. 10.

## INSPECTIONS

There is no special staff with previously established responsibilities for inspections within the department. It is noted on the field trip that the officers responsible for technical supervision in urban and rural police and services did make corrections when they discovered deficiencies in the commands. However, the procedure needs to be more systematic. Direction and control is maintained principally through personal contact where time and distance makes it convenient. Organic laws and regulations are regularly published by the Plans and Operations Section, but these were not sufficiently in evidence in the provincial and cantonal units. General orders ordinarily pertaining to personnel transfers, promotions, etc. are issued almost daily emanating from the personnel services, Department No. 1. The advent of radio communications between the Quito headquarters and the district and provincial commands has greatly facilitated direct control and supervision over very long distances. With this, however, has developed a problem of the bypassing of district and even provincial commanders by orders emanating from Quito requiring the response from a platoon or detachment far down the chain of command. Various kinds of reports are incidents requiring police action, as well as reports related to resource management, equipment, etc. are required of subordinate line and staff and administrative elements, but they lack uniformity and regularity and are rarely translated through the planning process into staff and operational plans designed to keep the NCP appropriately responsive to its internal and external problems.

Currently, however, the NCP in its organization administration and management has advanced considerably from its condition as reported in the 1959 survey. With more work in planning, budgeting, training, supervision, inspection followup and coordination with NCP organization could become outstanding, particularly now that financial resources may very well become sufficiently abundant to overcome basic weaknesses in material and manpower resources.

### 3. Personnel Management

The 1959 Survey Report<sup>1</sup> noted weakness in personnel numbers, pay, subsistence allowances for non-officers, advancement opportunities for non-officers\*, work hour systems, uniforms, pensions and retirement. It also urged the elimination of detention as a disciplinary measure.

\*The recommendation was to build recruiting incentive by establishing opportunities to permit EM to advance to commissioned officer status, perhaps through meritorious matriculation to the Cadet School. At one time, this could be done (although it rarely was). The NCP has actually moved the opposite direction. It has legally prescribed entrance to the Cadet School by EM and instead established the Sub-Officer (Warrant Officer) ranks. Normal practice in the U.S. is that "commissioned" ranks can be attained only through advancement from the lowest ranks. The issue is controversial. Some U.S. police administrators urge lateral entry into "commissioned" ranks, arguing that good executive and managerial talent is lost by the unwillingness of well-educated men with executive potential to serve for a long time in the ranks. Others maintain that lower rank experience is essential preparation for high level command and staff responsibility. Both arguments have merit. The key incentive factor seems to be a social one. NCP non-officer personnel are lower class. Ecuadorian men of middle class preparation would probably be less likely to install themselves in a lower class setting in the hope they could advance to middle class officer status. Ecuadorian men of lower class origins are probably more resigned to their status and less motivated to make the necessary effort to rise, even given the opportunity to do so. As a recruiting incentive, opportunity for advancement to commissioned officer status is probably not important.

<sup>1</sup>Therry, op. cit. p. 167-70

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*SALARIES AND ALLOWANCES*

The following chart illustrates the current salaries and allowances at the NCP:

*SALARIES & ALLOWANCES*

<i>Number</i>	<i>Rank</i>	<i>Military Equivalent</i>	<i>Salaries per Month</i>	
			<i>Ecuad. Sucres</i>	<i>US Dollars</i>
4	Perfecto-Comandante	General	5.300,00	265.00
12	Prefecto-Jefe	Colonel	4.500,00	225.00
19	Prefecto	Lieutenant Colonel	4.000,00	200.00
40	Subprefecto	Major	3.500,00	175.00
93	Inspector	Captain	3.000,00	150.00
148	Subinspector 1o.	First Lieutenant	2.500,00	125.00
140	Subinspector 2o.	Second Lieutenant	2.000,00	100.00
50	Cadet	Cadet	575,00	28.75
14	Suboficial 1o.	Warrant Officer First	1.600,00	80.00
17	Suboficial 2o.	Warrant Officer Second	1.500,00	75.00
75	Sargento 1o.	Sergeant First	1.400,00	70.00
332	Sargento 2o.	Sergeant	1.300,00	65.00
78	Cabo 1o.	Corporal	1.200,00	60.00
529	Cabo 2o.	Private First Class	1.100,00	55.00
4,125	Policia	Private	1.000,00	50.00
Food Allowance (Daily):				
		Chiefs and Officer	20,00	1.00
		Enlisted men - Rural	15,00	.75
		Enlisted men - Urban	10,00	.50
Subsidy for Married Personnel (Monthly):				
		Chiefs and Officers	100,00	5.00
		Enlisted men - 10% of salary		
Subsidy for family (Per Month):				
		Chiefs and Officers (per child) - No limit.	70,00	3.50
		Enlisted men (per child) - Limit 3 children	50,00	2.50
Bonus Per Month:				
		Enlisted men in the coastal and frontier area	30,00	1.50
		1 officer in service in Galapagos	300,00	15.00

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Much has been done to correct many of these weaknesses, especially since the establishment of the Organic Law (Annex I), the Personnel Rules and Regulations (Annex K), and the Retirement Statute (Annex J), during the mid-1960's. The effect has been to establish a stable body of personnel able to protect itself from excessive outside political interference in personnel matters and attract and prepare a higher grade of policeman and police executive.

A great deal more needs to be done.

In 1959, a Prefect-Chief received about \$200 per month and a policeman about \$37 per month in salary and allowances\*. Today a Prefect-Chief gets \$270 per month and a policeman about \$70 per month. However, taking into account an estimated 40% inflation over that period, the policeman has gained only 29% in real earning power and the Prefect-Chief has *lost* 19%.

### RECRUITMENT

Entrance requirements for officers is described in the section "Training" below. For non-officer personnel, the applicant must present his official identity card, birth certificate showing age of twenty-one to thirty, proof of military service, proof of successful completion primary education, no criminal record, two references and standard minimum height weight and medical requirements. The application is submitted at no lower than provincial level units. They are forwarded to the Personnel Department No. 1 where they are reviewed. A list is established and employment is announced in the daily General Order. Until recently the man was simply assigned to a unit and began his work without any training or special preparation. Although this is still the case, in many instances the NCP is attempting to require successful completion of the recruit training program at the Institute prior to assignment.

### TRANSFER

Transfer of officers require an order from the Mingo. Non-officer personnel may be transferred on the orders of the Commanding General. Recommendations for assignments and transfer are ordinarily made by the General Staff. A man is usually expected to serve in his post two years before he may request transfer. In areas of hardship, this period is reduced to one year and sometimes less. A member can be assigned to a position designated at grades higher or equal to his own, but never beneath. Line officers can serve in service jobs (jobs ordinarily occupied by non-line or non-professional officer personnel), but "service" officers cannot serve in line positions. When a man is transferred, he is entitled to a transfer allowance, however, this is rarely actually paid.

\*Assumes only two children.

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*CLASSIFICATION OF PERSONNEL (See Annex J)*

Policies regarding promotions, special benefits, retirement, medical assistance, pensions, etc. are described in detail in Annexes I, J and K. Suffice it to say that provisions for all of these have substantially improved since the 1959 survey.

*DISCIPLINE*

Discipline in the National Civil Police is primarily a responsibility of the individual unit commander. Each commander has certain disciplinary prerogatives depending on his level of responsibility. This has not changed substantially from the 1959 survey report. (Page 58). The undesirable practice of jailing police for minor offenses against the police penal code (a military holdover) is still prevalent.

An interior court system similar in function to internal affairs units found in most U.S. police departments, but more akin to our military justice system, is an established NCP institution. There are police courts primarily consisting of a judge, a "fiscal" (sort of combined prosecutor and defender) and clerical staff are maintained at General Headquarters and in each district headquarters. An elaborate penal code and code of penal procedure is established for the National Civil Police. It is similar in some respects to the Uniform Code of Military Justice in the U.S. Army. Although courts can initiate cases on their own, in most instances the cases are brought to its attention by the NCP personnel or by private citizens. Various judges interviewed reported that the most common case are 1) abandonment of service, 2) abuse of authority and 3) abuse of arms.

The penal authority of the courts is considerable with sentences ranging from minor fines up to sixteen years of confinement. There are ample provisions for appeal which can be carried to the highest court of the land, the Supreme Court. A recent case was reported involving a captain who was accused of the embezzlement of funds in his trust. Found guilty by the court, his punishment was expulsion from the service.

Punishments that can be applied by police commanders include verbal or written reprimand, extra duty, insolation, physical work and arrest for up to six days. Suspension from command or employment or dismissal from the force ordinarily requires board action or a judicial proceeding. Discipline throughout the NCP appears to be good, but the stress seems more to be on demeanor rather than on adherence to various unit rules and regulations. There appears to be a fundamental lack of understanding of basic supervisory and leadership principles.

*TENURE*

Tenure is secure at all levels as is more than amply illustrated in the excellent utilization of the participants that have been trained under the A.I.D. Public Safety

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Program (see Annex ). At the highest level of a class of 27 cadets that began their training in the Cadet School in 1941, nine remain in service including the Director General, Chief of Urban Services and Chief of Department 4 Services, and others. The NCP reports a turnover for all reasons (i.e. disability, retirement, resignation, dismissal, killed on duty, etc.) of about 200 men each year, or less than four percent. This is actually less than would be desirable, as the normal turnover of a police force is between ten and fifteen percent. A low rate of turnover contributes to the superannuation of personnel. Indeed, the writer noted that the vast majority of the personnel encountered had at least ten years service.

*MORALE*

The patron system of leadership tends to contribute to high morale. The units where leaders were obviously men of strong character exhibited high morale. Strong environmental influences, however, also showed a definite effect. For example, low morale was found in units in the coastal region where popular acceptance of police is less, and problems of crime and civil disturbance are high. Particularly where NCP facilities are inadequate, the men showed lower morale. Other factors lending to high morale, such as good food service, seemed to be good in most parts of the country, although it was reported that poor food service has resulted in a near police strike in the Quito regiment during early 1969. Payment of salaries and allowances is often late, which contributes to poor morale. Some activities, such as parades, fiestas and some facilities such as recreation rooms for officers and enlisted personnel and a great deal of emphasis on sports (no quarter was without some form of sports field, usually a soccer court), plus certain practices such as the awarding of decorations are all measures taken to insure high morale. There is also a separate line item in the budget for toys for police children at Christmas time and a special "Police Day", June 6 of each year, when the government provides parties for the police and their families. One factor contributing to low morale is the very poor condition of uniforms especially for non-officer personnel.

Although much progress has been made and indeed the relatively advanced system of personnel management of the police have been key in the advances that it has made in the past ten years, there is room for improvement. This improvement should begin with consideration for increasing police salaries, particularly in the higher ranks.

4. Training

Training, since the 1959 survey (pp. 63-68), has advanced in the variety of courses offered; the focus on job related material, the improvement of training methods and the improvement of training facilities, material, and equipment. All training is the responsibility of the "National Police Institute", the Director of

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which is a Prefect Commandant who reports directly to the Commander General of the NCP. The Institute is organized into six elements which are the Superior School, the School of Officer Development, the Officer Cadet School, the School for Enlisted Personnel, the School for NCO Personnel, the Rural Police School at Los Peñas and the Logistic Services. In 1959, courses were offered only for the pre-service and in-service training of officers and NCOs.

*Staff*

The staff consists of seventeen police officers, twenty-one part time civilian instructors and an EM support staff of 50 for the Quito facility. Six officers and five NCOs staff the Los Peñas facility. Assignment to the staff is routine and invariably involves duties as an instructor as well as other staff and administrative assignments. Nearly always half of the staff are made up of graduates of the International Police Academy.

*Facilities*

The Quito facility consists of adequate buildings for offices, classrooms, storage area, separate mess and living facilities for staff, officer and non-officer students, conference rooms, a library, gymnasium, work shops and an audiovisual lab situated on a 19 acre estate on the outskirts of the city. There are also drill fields, a horse stable, a pistol range and sports facilities. The plant is adequate to support an average daily student attendance of 200 to 250 men. The Institute has been build up slowly over a long period of time and constitutes one of the most advanced facilities of the National Civil Police.

The Rural Police School at Los Peñas, which is near Babahoyo in Los Rios Province, consists of four acres of NCP owned land on the Babahoyo River. The buildings are old and in a dilapidated condition providing a single indoor classroom, separate barracks for staff and men, a semi-open mess facility, garages, repair shops, and limited administrative offices. Formerly a brewery, huge concrete fermentation tanks have recently been renovated for officers quarters. There is a soggy football field and a pistol range. During the rainy season, the river overflows and floods the entire facility. The facility is very poor and unhealthy, unsuited to its tasks.

A new site of 210 acres of land near Santo Domingo of Pichincha Province was recently acquired by the police from the Ecuadorean Institute of Agrarian Reform and Colonization (IERAC). The NCP has long range plans to develop this site into a rural police training facility.

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*Training Programs*

*Cadet School*

The Cadet School, organized during the period of the Carabineros, consists of a three year curriculum balanced between academic and professional material with stress on the latter during the final year. Although each class is authorized 50 students, historically the average class has numbered about 20 men. To matriculate, an aspirant must be age 18 to 23; have a high school diploma with high marks; demonstrate good character; be physically fit; and other appropriate entrance requirements. He must also pass an examination in math, algebra, trigonometry, history, geography, english, civics, logic, philosophy and chemistry. Ordinarily 200 or more apply each year, of which about 30 are accepted with full NCP financial support and 10 or 20 more as supernumeraries who pay their own way hoping that attrition will make room for a regular position in the class. The program of life and study is rigorously disciplined but the recruit is free from duties on his weekends and during a three month summer vacation. The three year curriculum is as follows:

*\*CADET COURSE*

Duration: 41 Weeks (Oct. 1 to July 15, each year)

<i>Subject Matter</i>	<i>Hours</i>	<i>Instructor</i>
— First Year —		
Close Order Drill	246	(Instructor Staff)
Police Rights	123	Dr. Julio Armendaris
Procedures in Penal Law	164	Dr. Alberto Sarmienta
Criminology	82	Dr. Enrique Garces
Legal Medicine	82	Dr. Jose A. Vergara
Related Laws	123	Dr. Clemente Sanchez
Communications	82	Insp. Carlos Guerrero
Penal Law	164	Dr. Bolivar Leon
Topography	82	Eng. Luis Vasquez
Police Instruction	82	(Instructor staff)
Personal defense	82	Mr. Cesar Suarez
English	164	Mr. Cesar Sanchez Suarez
Sports	82	— —
Physical Education	82	Mr. Jose J. Barberis
Boxing	41	Mr. Lauro Zuniga
Constitutional Law	82	Dr. Humberto Davila
Study and Research	246	— —
	2,009	

\*Total hours are approximate and are probably somewhat less due to vacations, etc.

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<i>Subject Matter</i>	<i>Hours</i>	<i>Instructor</i>
- Second Year -		
Close Order Drill	246	(Instructor Staff)
Military Tactics	82	Maj. Edmundo Chavez
Police Tactics	82	Sub-Pref Oswaldo Ponce
Weapons Training	164	Insp. Rodrigo Torres
Police Procedure	123	Insp. Edison Garces
First Aid	82	Dr. Jose G. Avila
History of the Police	82	Dr. Ulpiano Navarro
Statistics and Records	82	Lic. Jaime Maldonado
Social Legislation	82	Dr. Trajano Naranjo
Identification and Fingerprints	41	Insp. Victor Martinez
Police Instruction	82	(Instructor staff)
Logistics	41	Maj. Edmundo Chavez
Public Relations	82	Lic. Carlos Carrion
Police Ethics	82	Insp. Jose Vargas
Personal Defense	82	Mr. Cesar Suarez
Sports	82	- -
Physical Education	82	Mr. Jose J. Barberis
Boxing	41	Mr. Lauio Zuniga
Typewriting	41	Mr. Ernesto Esquentini
English	164	Mr. Humberto Davila
Study and Research	164	- -
	2,009	
- Third Year -		
Close Order Drill	246	(Instructor staff)
Criminal Investigation	82	Sub-Pref Pacificos de losReve
Police Tactics	82	Sub-Pref Oswaldo Ponce
Urban Service	82	Insp. Carlos Machado
Command	82	Pref Jaime Duran
Laboratory	123	Dr. Gonzalo Grijalva
Identification and Fingerprints	82	Insp. Victor Martinez
Traffic Service	123	Sub-Pref Joel Zaldumbide
Information Service	82	- -
Police Instruction	82	(Instructor Staff)
Rural Service	82	Pref Jose R. Rosero
Vehicle Driving Instruction	82	Mr. Pablo A. Bastidas
Sports	82	- -
Physical Education	82	Mr. Jose J. Barberis
Horseriding	82	Sub-Insp. Victor Londono
Typewriting	82	Mr. Ernesto Esquentini
Personal Defense	82	Mr. Cesar Suarez
Public Speaking	41	Dr. Alfonso E. Lastra
English	164	Mr. Humberto Davila
Study and Research	164	- -
	2,009	

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A young instructor (Sub-Inspector 2nd) at the school was asked why young men wish to apply to the Institute and seek a career as police officers. The reasons he gave (in the following order) were: 1) a desire to prove a social service, 2) to receive the respect of the people, 3) to get a free education and vocation, and 4) to see and get to know the entire country.

*Recruit School*

The Recruit School began in 1965 with USAID assistance. It graduated its first class of 60 recruits after a one year program in 1966. The program has since been reduced to six months and ordinarily consists of 100 recruits in each program. (See Annex D). The curriculum is as follows:

*RECRUIT TRAINING COURSE*

Duration: 20 Weeks

<i>Subject Matter</i>	<i>Hours</i>
Police Procedure and Urban Service	100
Public Relations	40
Laws and Regulations	40
First Aid	40
Criminal Investigation	40
Grammar	50
Weapons and Shooting	80
Personal Defense	40
Traffic	40
Rural Service	40
Geography	40
Internal Security	40
Military Training	200
Field Training and Sports	<u>100</u>
	900

The school for NCOs, Officers and Superior Officers provides a variety of in service courses as follows:

*CORPORALS (1st and 2nd CLASS) COURSE*

Duration: 8 weeks

<i>Subject Matter - Theory</i>	<i>Hours</i>
1. Grammar and Editing	
2. Institutional Laws and Regulation	24
3. Police Procedure	16

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<i>Subject Matter - Theory</i>	<i>Hours</i>
4. Urban Service	16
5. Rural Service	16
6. Weapons Training	16
7. Public Relations	<u>16</u>
	104 hours of Theory

<i>Subject Matter - Practice</i>	<i>Hours</i>
1. Formal Military and Field Training (Close Order Drill)	40
2. Police Training	16
3. Anti-Guerrilla Training	24
4. Anti-Riot Training	24
5. Firearms Training	24
6. Personal Defense	16
7. Horse Riding	<u>16</u>
	160 hours of Practice

Grand Total 264 hours

The Rural Police School at Las Penas offers a six month course for groups of forty to sixty men. It is entirely an in service training facility. Although recruit standards now uphold the high school education requirement, this was not always the case and many of the students are not sufficiently literate to keep up with the better educated policemen. Therefore, the curriculum often contains too heavy emphasis on reading and writing and not enough on vocational and professional subjects. Moreover, the lack of handout material often requires that the instructor read his lesson while the students copy the lecture word-by-word in their notebooks.

*Equipment*

The Public Safety Division has provided a number of training aides and introduced a number of innovations in public relations, investigations, intelligence, and weapons training, the use of various audiovisual techniques, and a great many spanish techniques in technical material related to a variety of police specialties. (See Annex C.)

*General*

The Rural Police School is the most in need of improvements. Not only are the facilities depressing and unhealthy, but its location near several unstable communities has required the frequent employment of the students in police operations

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over extended periods of time, thus seriously interrupting the school program. The development of a new facility and a stable program of training oriented toward the actual requirements of rural police work in Ecuador constitutes a high priority need for both U.S. and local attention. A recent innovation in the development of a mobile "Interior Training Group" staffed by two to four IPA graduates and assisted by a U.S. advisor has provided two week programs of training at several of the provincial headquarters of the interior in the following subjects:

*MOBILE TRAINING FIELD COURSE*

Duration: 2 Weeks

<i>Subject Matter</i>	<i>Hours</i>
Orientation	1
Public Relations	10
Intelligence	18
Rural Service	16
Fundamentals of Shooting	5
Shooting Practice	10
Shooting Competition	2
Cooperativeness	3
Guest Speaker (Subject Not Named)	1
Graduation Exercises	<u>2</u>
	68

It is noted that the units are merely notified that the training group will arrive on a particular date to remain for a particular length of time to provide training. The officers and the NCOs rarely participate either in providing training or receiving instruction. Although attendance is good, and over 220 enlisted men have thus far received the two week courses. However, the value of the training in improving work practices is questionable due to the lack of supervision oriented toward the materials taught following the departure of the training group.

Some specialized training is given at the Institute, such as the following special eight week course for detectives:

*COURSE FOR AGENTS OF CRIMINAL INVESTIGATIONS (DETECTIVES)*

Duration: 8 Weeks

<i>Subject Matter</i>	<i>Hours</i>
Identification	24
Criminal Records	24

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<i>Subject Matter</i>	<i>Hours</i>
Penal Code	24
Code of Penal Procedure	24
Theory of Criminal Investigation	24
Institutional Laws and Regulations	24
Legal Medicine	16
Firearms Instruction and Practice	24
Psychology of Criminal Investigation	24
Personal Defense	16
Sports	16
Physical Education	16
Practical Field Training	24
Study and Research	<u>24</u>
	304

Also periodical two month training programs for specialist in traffic are offered in Quito and Guayaquil. Riot control training is carried out in most units as a form of roll call training. Other roll call training is rare although the concept is known and understood.

Materials for training in all of the courses offered are produced both by the Institute and the Plans and Operations Department (#4) of the NCP. Some of the material is developed with USAID assistance. More material is needed.

There are no correspondence courses.

Intelligence training is given by the General Directorate of Intelligence (See Chapter .)

*Problems*

The suggestion has been advanced that the NCP allow rural police to train with local military in Ecuadorian Army facilities in counter-insurgency. The NCP General Staff opposes this idea and wants to develop its own capability in this field.

The NCP needs to develop further use of the Institutes excellent library.

5. Patrol

The concept of police patrol, which is key to the principle of crime prevention in North American police operations, is at the same time a difficult concept for police patterned on the continental European system to understand. The concept is

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simply that policemen circulating constantly among the people in their environment and performing as public servants and agents of the people's laws through constant personal inter-action with the people in a relationship of mutual trust is the most effective way to prevent crime. Although it is doubtful whether the average North American policeman is well liked by the people, this has not been essential as long as the people understand and accept his function and have a degree of confidence that he will perform his function in a manner conducive to the peoples' interests.

In Latin America and in Ecuador, there has been no tradition of the concept of patrol. Instead, policemen have usually been kept in barracks and sent out into the streets to confront the people only when a civil disturbance of some kind threatens the peace. This concept probably stems from the early requirement of government to subjugate the people to its power rather than represent the power of people. The 1959 Survey clearly indicated that the concept of preventive patrol was not understood. Although much improved to this respect, the old traditions, as well as the lack of resources, still render the NCP inadequate.

In 1959, motorized patrol consisted of two vehicles in Guayaquil and none in Quito. Now there are forty radio patrol cars in Guayaquil. An average of twelve of these are on patrol at any time. In Quito there are seven radio patrol units. Three of these units are out on active patrol at any one time. All are radio equipped controlled by the base stations located in the district command. They are usually manned by three men; one acts only as a chauffeur (there being 268 in the NCP). The patrols, however, do not operate in as aggressive a manner as could be expected. The policeman's attitude seems to be one of preferring not to get involved in trouble rather than seeking troubles to resolve. Too often patrol vehicles are used for such things as personal errands or transportation for officers. There is also a lack of supervision in the field, the supervisor ordinarily keeping to the command offices.

However, motorized patrol to any extent began only as recently as 1965 in Guayaquil and 1967 in Quito. Much more practice with the concept needs to be encouraged.

In Cuenca and in Ambato some sporadic motorized patrol was done, but to a very limited extent.

Foot patrols were observed in Quito and in Guayaquil; however, many of the posts are fixed posts and manned by men whose activities appear to be more in the nature of sentry duty. Beat and Sector layouts are supposedly done according to a systematic analysis of crime incidence and calls for police services as well as other pertinent factors, but in reality this kind of planning has been seen only recently in Guayaquil. Some fixed posts for traffic control and some at the homes of VIPs are utilized and are usually a waste of patrol personnel. Some are even used as time checkers for the bus companies.

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In Guayaquil, public demand for police services resulted in the constructing of eighteen small "retenes" in urban slum areas. They are tiny precinct stations manned by two to four policemen twenty-four hours a day. They are often without a radio, but usually have a telephone for communication.

There are some very tough slum areas in Quito and Guayaquila where the police must enter in force or not at all.

In rural areas, very little patrol of any kind is done, but check points along highways are common. In troubled areas where land invasions are prevalent, attempts at some form of rural patrol are sometimes made. These rarely have access to a vehicle and only occasionally utilize horses and mules.

## 6. Investigation

Criminal investigation was not a function of the NCP at the time of the 1959 survey.<sup>1</sup> This responsibility rested with the "Directorate of Security, Investigations and Identification (DSII)", a separate unit reporting directly to the Mingov. The DSII performed criminal and political investigations. It also maintained criminal records and issued passports. The NCP performed investigation functions only informally in minor cases and where no other civil authority was available.

The DSII was described as, ". . . totally incapable of performing its intended functions".<sup>2</sup> It consisted of 288 men deployed in Quito and fourteen provincial capitals. It had serious weaknesses across-the-board in organization, administration, management, personnel and operations. There was no direction, control, followup, reporting or passable records. The men were politically appointed by both central and provincial government executives. They had little or no training, facilities, and equipment. Interrogations were continually abusive. Physical evidence was almost wholly ignored and the preparation of a complete case report was extremely rare (due partly to the absence of demand for such products by judicial authorities).

The survey report recommended that the DSII be placed in the NCP and properly organized, staffed, trained (locally and elsewhere), managed and equipped to carry out its functions. The recommendations included the establishment of a central crime laboratory and, at provincial level, a capacity for processing crime scenes, properly handling physical evidence and performing some elementary evidence tests. The recommendation stressed training before equipping.

A few NCP officers had already been detailed to the DSII in an attempt to strengthen it. In 1963, the NCP was given full responsibility for criminal

<sup>1</sup>Thierly, op. cit., pp. 111-123.

<sup>2</sup>Ibid, p. 181.

investigations (the SIC) and a very small part of DSII was transferred to the NCP. The political intelligence function still remains in the DSII (renamed the Department of Public Safety - see Chapter ). In 1965, the NCP also organized its own police intelligence group in the "Information Service". The DSII remains as ineffective as before. The NCP, on the other hand, has made at least some progress in implementing *all* of the 1959 recommendations. Moreover, the NCP assumed these new functions without a compensating augmentation of budget and personnel.

a. *The Investigations Service (SIC)*

The SIC is commanded by a Prefect Chief who reports to the Commander General. The headquarters is in the NCP General Headquarters building. The headquarters staff of ten officers and 83 agents also serves Pichincha Province. There are 100 SIC men in Guayaquil, and about ten to twelve men in each provincial corps, and the Santo Domingo, Milagro and Quevedo rural police squadrons.

The investigators are selected randomly from NCP personnel and are put to work without special training or preparation. Since 196 agents have completed an in-service training course that is run almost continuously in the Institute (See "Training" above). Detectives work in pairs, an inexperienced with an experienced man. Men rarely transfer out of the work, but do not specialize. Theoretically, work is divided among four groups, each specializing in crimes of blood, crimes of property, crimes against people and sexual offenses. However, in practice there is little specialization and cases are assigned randomly by convenience. (The above classification of crimes was one of several encountered.)

Most cases are initiated by the filing of a complaint (denuncia) by the victim at the SIC office. Preliminary investigations by patrolmen are not due. Crime reports are rarely taken in response to on-view or telephoned complaints. Crime scenes are sometimes not visited, rarely examined and processed for physical evidence. In rural areas, the patrolmen must do all phases of an investigation except in serious cases where outside help is provided.

7. Detention

Responsibility for National Civil Police jails rests with the Department of Services. The writer inspected the main jail in Quito, as well as jails in four District Headquarters, ten provincial headquarters, and dozens of small police detachments.

In Quito, the jail consists essentially of an old building adjoining and in some respects, part of a match factory. It has three large cells, a small administrative office, as well as a few small holding tank cells. One of the large cells, a room of about 40 X 20 feet, is set aside for women. About fifteen ladies were found dressed in their civilian clothes and some with their infant children. There were

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a couple of tables, a few chairs and a few hard wooden beds. However, this furniture was not sufficient for the number of prisoners, most of whom simply sit on the floor. The other two large cells of about 40 X 40 feet contained the men prisoners, which numbered at that time approximately 100. There was no separation of prisoners according to age or offense charged and several youth, obviously teenagers, were observed mixed in with the older prisoners. Little or no furniture of any kind was observed in these bare cells. The prisoners can receive visitors during certain periods of the day, and indeed many of them depend on their families for food. The food budget and food preparation is not sufficient to feed the jail population. The security measures were minimal, depending on a few guards and a low wall topped with barbed wire entanglements. Yet the officer in charge reported few escapes in the past years of his service.

In most district and provincial headquarters, two or three small cells made of concrete are usually found. The one in Santo Domingo was typical. The two cells were each 10 ft. X 10 ft. and had no furniture. The only light came through a barred window in the door. Each cell contained ten or twelve prisoners. Two boys, one fifteen years old and the other sixteen, were mixed in with the adult prisoners. The sixteen year old said he had been in jail for four days and had been arrested for fighting.

In Bahia de Caraquez a large new municipal jail with 132 prisoners was found. The guards were rural policemen. In some locations, notably Quito and Machala, separate jails have been established for traffic violators. Ecuador follows the practice of arresting anyone responsible for an accident involving an injury or death. Representatives from the various chauffeurs unions on the National and Provincial Traffic Councils have been successful in getting separate and improved facilities for drivers who must be jailed under this law.

In some locations, where a separate criminal investigations office is maintained, such as in Porto Viejo, a small separate cell is maintained as a holding facility.

In general, laws and regulations related to jail administration (segregation of prisoners, etc.) are rarely followed. In almost all areas the jails were found to be in an abominable condition. However, the morale of the prisoners, who were obviously accustomed to such circumstances, was not low. Most of them were friendly and seemed to have good rapport with their keepers.

The correctional system for convicted criminals is under a separate part of the Ministry of Government and Police with a 1969 budget of \$270,300 (US), of which \$6,350 (US) was devoted to capital and the remainder devoted almost entirely to the salaries of the 142 personnel. A penitentiary is maintained in Quito. There is the penitentiary "Garcia Moreno" in Quito and the "Model Penitentiary" in Guayaquil. These two, the largest in the Republic, have a capacity for only 450 prisoners each. Several municipalities have built their own.

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Again, although the law requires that the penitentiary system carry out programs of rehabilitation and parole, and establish such services as prison shops for training men in crafts and office work, as well as the teaching of reading and writing, few are actually carried out.

8. *Buildings*

Lack of adequate buildings constitutes a deficiency in NCP resources, especially given the substantial requirements resulting from widespread and ubiquitous deployment.

The Headquarters building in Quito houses all of the elements of the General Staff and provides most services in traffic and investigations to the Quito area. The five story building is adequate and space is well utilized.

Outside of Quito, most police buildings are very old and decrepit. During the observation trip, fifty-three police buildings of various kinds and sizes were inspected. Forty of these were inadequate for business or housing the men. The best were built of cement block and the worst of wood or bamboo mat.

The actual status of NCP buildings for the rural police (December 1968) was found as follows:

	<i>Status of Ownership</i>	<i>Number</i>	<i>Percentage</i>
1.	No Building	87	27%
2.	Rented/Leased	96	32%
3.	Community Project Donation	14	5%
4.	Army Loan	5	2%
5.	Local Govt. Loan	73	23%
6.	W/O Legal Standing	8	2%
7.	NCP Owned	<u>28</u>	<u>9%</u>
	Total	311	100%

The best buildings were found at the Institute, the Guayaquil Headquarters, the fairly new Cartel in Machala (Corps Hdqtrs. for El Oro Province), Ambato (Corps Hdqtrs. for Tungurahua), the maintenance shops at Cuenca, Guayaquil and Quito, and some small community project "ictenes" or small detachments in rural police posts and in the urban slums of Guayaquil. Some community help in constructing

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NCP buildings was reported in the 1959 survey report. This activity has received emphasis from the USAID. Rural Police project begun in late 1967. Thirty communities have been organized to provide help to local NCP detachments, usually in the form of an adequate building. Fourteen have been completed and several more are in various stages of planning or construction (See photo No. ).

The 1959 report selected Ambato as a place where a new building was especially needed and noting very low police morale. The writer encountered a brand new \$350,000 "Model" Cuartel donated by that especially industrious and lively community. This feat was laid to the energetic leadership and effective community involvement of the Commandant, Prefect Anibal Arroyo. Prefect Arroyo took the writer on a tour of this lovely town during which people of all types waved and shouted greetings to the Prefect. We paused briefly in front of a house to admire a particularly beautiful garden. Arroyo promptly got the gardner to give him some cuttings for the Cuartel garden.

Police morale in Ambato was the highest found in Ecuador. Indeed, the very high criminal caste rate in Ambato reported by the Supreme Court may simply be due to vigorous police attention to business (and perhaps the vigor of the people themselves.)

Another outstanding example was found in a small parish called Manuel Jotacalle in Canar Province. An impressive NCP Sergeant, Licardo Liveiros Leon (38 years old and 18 year veteran of police service) maintains a small detachment consisting of himself and two men in a new building donated by the community. Sergeant Oliveros was sharply uniformed, clean and articulate. His neat desk contained A.I.D. donated Spanish language texts in police public relations, police techniques, criminal law, and criminal investigation. He also had a small ledger noting dozens of cash contributions from the people of the community ranging from five to one hundred Sucres (25¢ to \$5.00). The modest two story building consisted of an office, kitchen, bedroom, bathroom, storage room and simple lockup; quite adequate for the detachment's needs. The building and all it contained showed excellent care and maintenance.

Ordinarily the larger Cuartels consist of offices, barracks, separate officer and EM kitchens, mess and recreation rooms, a radio room, one or two supply rooms, a small dispensary, two or three jail cells and storage. The compound, including a drill field, is usually surrounded by a low wall with a sentry posted at the main gate. Vehicles are rarely garaged. When there is no classroom, the mess hall is used. Sometimes the criminal investigative and traffic service offices are located elsewhere in town.

The practices of living in a police station and surrounding it with a wall, are centuries old traditions that would be difficult to change. The walled Cuartel containing a reserve of policemen has always been looked upon as a government "strong

point" and a symbol of governmental sovereignty and power. However, as the modern NCP has become more public-service oriented, constantly interacting with the people as agents of *their* sovereignty, *their* authority, and *their* laws, it may be possible to remove the walls, reduce the reserve size and permit the men to spend their actual non-working hours at home. This would reduce space requirements and costs by 33 1/3%, and the removal of the wall (without sacrificing basic station house security) would symbolize to the community the new modern police spirit of close community relationships."

## 9. Riot Control

One of the most outstanding advances made by the NCP in the past ten years has been in the non-lethal and humane control riots in civil disturbances. Emphasis has been placed on this aspect of the Public Safety program from the outset. At the present time, 90% of the force has had training and experience in riot control. A 100 man reserve of riot control strength is maintained in Quito and Guayaquil with a capability of fielding up to 600 men within a period of two hours. Refresher training is done almost daily in the various urban centers. The training is centered on U.S. formations and methods and the application of U.S. types of equipment, such as the baton, tear gas, shields and occasionally the shotgun. Basic riot control is taught as a part of recruit training, as well as in all in-service schools for all levels of men and officers.

Extensive planning is done in coordination with the military, the fire control authorities, as well as other central and local government officials. The planning includes the analysis of potential trouble sites, as well as supporting services for communications, mobility, medical care and emergency detention areas. Arrangements have been for curfews and restrictions on the sale of alcohol, firearms, and the like when necessary. Intelligence personnel in Guayaquil, Quito and general police personnel in the provincial headquarters are constantly alert to potential disturbances providing timely information for effective preventive deployment. Some special equipment such as bulletproof vests, shields and adaptors for launching tear gas canisters from shotguns are made in the country.

Coordination of military and police deployment are usually made according to geographical divisions of the affected areas for which each unit is given exclusive responsibility. Frequently, units in unaffected areas provide additional personnel to units engaged in riot control operations. (The writer noted that during the disturbances he saw in Portoviejo surrounding rural detachments sent most available personnel to assist the Provincial Commandant and that during the Quito disturbances 20 men from Latacunga were detached to reinforce Quito units).

\*This paragraph is written specifically for the NCP General Staff. In actual practice, the gates are manned but not strictly maintained and people of all kinds wander freely about most areas of the Cuartels visited.

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Extreme care is taken to employ only the amount of force necessary to disperse the rioters and restore order. Firearms are used when police units themselves are fired upon and then special anti-sniper sharpshooters are employed to keep the use of firearms as selective as possible.

The NCP combats literally hundreds of riots and civil disturbances each year. The tactics and weapons used by rioters have become increasingly sophisticated and brutal. In the Spring of 1969, a crowd at the football stadium in Quito became enraged with the decision of a football referee and rioted. NCP elements in the area surrounded the umpire and, because the disturbance was totally unexpected, they were without proper riot control weapons. Rather than resort to their sidearms, the police held their ground with only billy clubs for protection. A great many police were seriously injured, particularly isolated patrolmen who had been posted for crowd control. The NCP succeeded in protecting the referee without causing a death or serious injury. Twenty-one police were hospitalized. The press lauded the NCP for restraint and courage. A popular subscription raised funds to purchase seven new patrol cars.

10. Special Enforcement Problems

a. Land Invasions:

The problems posed to police capabilities by persistent rural "land invasions" cannot be underestimated. (See Sections IV & V above). These invasions are varied in character and locale but seem to have been most prevalent in Esmeraldas, Los Rios, Guayas and Loja. They may be entirely rural in setting or suburban. They are frequently agitated by extremist political groups. Claims to land may or may not be legitimate or justified in either a moral or legal sense. They are often violent.

They represent a particular problem for the Rural Police who are called on constantly to control. Lack of personnel, training, equipment, communications and mobility poses serious problems. The following illustrations provided by USAID point up the complexity of this growing problem:

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"The following are a series of typical Rural Police actions during the past year which illustrate the kind of problems faced by the Rural Police and the reaction which is elicited, either from the police on the scene or by order of the authorities:

"1) Beginning in August of 1968 the small Rural Police post at Quinde, in the province of Esmeraldas, confronted reports of land invasions involving the large haciendas Villegas, Primavera, and Cocola. These invasions were organized by groups of varying legal status, some of them led by Castroite congressman Jorge Chiriboga. The claims of the various groups ranged from valid titles recognized under the Land Reform Law to completely spurious claims by so-called pre-cooperatives which had no legal recognition and whose activities amount to nothing more than extortion. The job of the Rural Police in trying to determine the facts in each case and then enforcing the law under various political influences has been far beyond their capability. However, their efforts are generally recognized in the area to be in the direction of impartial law enforcement in the face of overwhelming lawlessness and political indecision. Improved and strengthened Rural Police services are desired and supported by the stable elements of the community.

"2) Between October 16 and October 24 a series of invasions of the Hacienda Venecia in the Guayas province occurred daily. Groups of Rural policemen of between 15 and 35 men were dispatched to handle invasions by up to three hundred persons at a time. The Police were able to handle these invasions without brutality and without interfering with due legal process involving the group of so-called pre-cooperatives. On October 23, 1968 a group of about three hundred persons invaded property of the sugar refinery Valdez in the same area, setting fire to the vegetation and endangering a nearby population center. Rural Police from Milagro with the help from the local fire department drove out the invaders without serious injuries and put out the fire.

"3) On February 21, 1969 at Azogues, in the province of Canar, officers of the land reform agency (IERAC) and members of the Cooperative Vendelche were surveying lands for parcialization and they were attacked by an estimated two hundred indians. A small detachment of Rural Police was able to drive off the attack.

"4) On February 28, 1969 near Machala, province of El Oro, a Rural police

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officer and 10 Rural policemen upon orders of the provincial government removed members of a pre-cooperative, "20 de noviembre", from land claimed by Doctor Ugarte Molina. However, Doctor Molina was unable to show title and an appeal was made by the province Police Commander for an adjudication by the land reform agency (IERAC).

"5) On March 5, 1969 in the province of Loja, canton Gonzanama, the provincial Police Commander appealed to IERAC for adjudication of claims of a pre-cooperative "Nuevos Horizontes" to land owned by Doctor Ramon Eguiguren. This land had been protected from invasion since January 11 by eight Rural policemen who were under threat of being overwhelmed by 80 claimants to the land.

"6) On April 29, 1969 a Rural Police officer and 20 Rural policemen were dispatched from Tulcan, Carchi province, to a point called Aapagui to enforce an order of land expropriation by IERAC.

"The above incidents and many other similar incidents involving the Rural Police illustrate several important points:

"1) The rural Police are, in many cases, inadequate in number and preparation for the operations in which they are ordered to engage.

"2) Much of the Rural Police activity is investigative in nature, that is, to try to determine the facts regarding various conflicting claims and political influences rather than to act merely as the tool of any particular group.

"3) At such times as they are ordered by political or legal authority to act, their operations may be in some cases in defense of the status quo and in others to carry out land reform. That is to say, that Rural Police are a more or less neutral agency in the question of land reform depending on government policy.

"4) The absence of the Rural Police in any given rural area means that the strongest and best organized forces, sometimes of the Left and sometimes representing the oligarchy, will dominate the situation regardless of law or rights. A need for impartial law enforcement in such situations is obvious."

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b. Vice:

There is no special "vice squad." Vice control is carried out routinely by normal investigation and patrol units except in the field of narcotics. Prostitution is not organized except possibly for a few small alien rings controlling Colombian call-girls. General prostitution is reported by the police to be a growing problem.

Narcotics violations are investigated by Interpol, a special section in the NCP Headquarters. Reportedly, a good quality of marijuana is grown in Ecuador for local consumption and for export to Peru. Cocaine, in turn, is shipped from Peru into Ecuador because the Peruvian cocaine is of better quality. Allegedly, a few opium fields have been discovered in a couple of southern provinces. Consumption of both heroin, cocaine and marijuana is more extensive in the port city of Guayaquil. The Police assert several clandestine opium laboratories are operating in Guayaquil and are exporting the derivatives to foreign countries. An international car theft ring, operating out of Colombia, allegedly is bringing automobiles into Ecuador. The vehicles are often passed through Customs by presenting forged documents. The modus operandi has not yet been brought to light and thus far, no recoveries have been made.

Illegal gambling is not considered a social problem and is largely ignored. Alcoholism is a serious and pervasive social problem in many areas of Ecuador.\* A special governmental organization is responsible for enforcing laws against the clandestine manufacture of liquor, (see Section VI, C) but its objective is revenue protection rather than social protection.

c. Juvenile Delinquency Control:

Although the NCP at one time did have a special Juvenile Delinquency Control unit, it was disbanded when the Juvenile Court (Tribunal de Menores) was established. The Tribunal de Menores is responsible for the handling of all juveniles suspected or convicted of committing crimes. The police, on encountering a juvenile suspect merely turn the case and the suspect over to the Tribunal. The Tribunal, however, is under-

\*The writer saw hundreds of drunken indians in all parts of the country during the six-day field trip. Moderation in the use of alcohol is reportedly rare.

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staffed, ill-equipped and irregularly deployed to provide effective service to most parts of the country. The NCP now pays little special attention to juvenile crime prevention problems. These problems, however, are growing as might be expected from the population growth and the skewing of the population toward youth as well as other related factors. A study of this problem is needed, including an examination of possibilities for a greater police role in juvenile crime prevention and control.

11. Police And The Public

One of the observations of the 1959 survey report was the low public opinion of the National Civil Police. A recommendation was made to establish a public relations office in the NCP and to take other steps to improve the image of the force. A great deal of progress has been made.

An Office of Public Relations was created in 1963 as part of the General Staff with responsibility for carrying out programs of police public relations. Each district and provincial headquarters is also supposed to assign public relations as an extra duty to one officer of the command.

In Quito, the Public Relations Office reports directly to the Commander General. The office is commanded by a major, who has a staff of two employees. The major is a graduate of a special public relations course given at the Central University in Quito. Among his many functions is the maintaining of relations with the various news media, i.e.: press, radio, and television to which daily bulletins are released. He also is responsible for providing classes four days a week at the National Police Institute for all levels of training courses. He provides staff support to the rest of the organization in public relations matters. A Spanish language regulation on public relations was prepared with USAID help and has been disseminated throughout the NCP. From time to time, a police magazine is printed, the last with USAID support.

The major has a very positive attitude toward his work and believes correctly that the best public relations measure is the maintaining of

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high professional standards of police service to the public and effective community relations in the normal routine of duty. In rural areas the improved establishment of contact with the people of the community has resulted in increased support to the police by the people.

The NCP has also established a Tourist Police squad. Some of the most capable policemen are specially trained and deployed at the airport and other tourist spots of Quito and Guayaquil. These men are also receiving special English language classes.

One of the most brilliant of public relations projects known to the writer was found in Machala where the criminal investigation detachment near the center of town has opened one of its rooms to the street and filled it with a number of chairs, a TV set and a desk manned by the agent who receives complaints of crime from the public. Children under a certain age are invited to come into the room to sit and watch television. Many mothers who come into town leave their children under the supervision of the police agent while they do their shopping. It is inexpensive and requires almost no time and effort on the part of the police. Yet it is a highly effective program that reaches one of the softest spots of the Ecuadorean heart; the children.

Most important has been the effort to instill throughout the police the view that the essence of their work is to achieve a relationship of confidence and trust with the people. It was noted throughout the survey that the public image of the police has risen substantially among most of the people of Ecuador.

12. Budget.

The primary source of financial support of the NCP derives from the annual budget. It is supplemented by:

- a. The budgets of the Special Police\*
- b. The use of properties and reviews of inheritance received by the NCP but administered by the National Treasury.

\*The "Special Police" are armed guards and watchmen hired and paid for by private businesses according to the terms of a contract negotiated with the Mingov. They are subject to the laws and regulations of the NCP.

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- c. Donations by persons or institutions, national or foreign (such as USAID).

The extent and exact nature of the supplemental sources of income are not known other than that they are reportedly minimal.

The NCP budget reported in the 1959 Survey Report was \$2,468,723 (U.S.) or about \$565 (U.S.) per employee. The 1969 budget was about \$6,630,845 (U.S.) or \$1,168 (U.S.) per employee. Inflation over that period is estimated at 40%. Therefore, the real increase was about \$135 (U.S.) per employee, or 20%.

In 1959, 87.3% of the budget was devoted to salaries and allowances, 1.2% for capital investment and 11.5% for support costs. In 1969, 89.0% went for salaries, 0.5% for capital investment and 10.5% for operating and support costs. Transfers of funds from other sources in the Ministry of Government provided for vehicles and riot control equipment, a capital investment of sorts.

Therefore, funds devoted to the NCP have increased in the last ten years, meeting part of the recommendation of the 1959 report. <sup>1/</sup> The proportion of funds devoted to capital and operating costs has remained relatively constant and not out of line with neighboring Latin American countries or even the U. S.

The preparation of the budget is the responsibility of the Audit and Payroll Section of the Service Department. The NCP auditors in conjunction with the National Treasury and the General Controllers office provide control. Allotments are made to the NCP each month. Transfers have become simpler in recent years, especially at the Provincial and Cantonal levels. It is likely that some "transfers" from personnel costs are made for operating expenses as a matter of necessity. Payroll "padding" was reported, but the writer was unable to find clear evidence of this. (In most cases, however, provincial paymasters reported paying a number of men exactly equal to the units authorized personnel strength).

A most important weakness, however, is the lack of proper planning in the preparation of the budget. The following is an analysis of the

<sup>1/</sup> Thierry, Op. Cit., p. 180-1

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prepared FY 1970 (coincides with the calendar year) NCP budget. It will also provide a description of the various line items of the budget and should be compared step-by-step. (The 1969 figures are estimated expenditures. All figures are given in U. S. dollars at a rate of 20 to 1 and rounded and are, therefore, closely approximate).

1. Salaries and Allowances: The 1969 expenditure was \$5,900,000. An increase of 2,000 men was proposed in FY 70 request raising this item to \$8,440,000. The increase was based almost entirely on a simple formula of two-police-per-thousand-population-ratio. An elaborate study of projected population increases was done, province-by-province, to reach this figure.

2. Other Personnel Expenses:

a. Training: 1969 expenditure, \$2,500; 1970 request, \$10,000. These funds are used for training expenses outside of the country. The increase of \$7,500 was requested without a statistical analysis of actual costs incurred in order to substantiate the arguments offered. Arguments were simply that. The men should have more money to uphold the prestige of Ecuador.

b. Medical Care and Hospitalization: 1969 expenditure, \$15,000; 1970 request, \$30,000. Assorted arguments were offered as justification. The amount is obviously insufficient given the large numbers of men seriously involved on duty. Justification should include statistics based on experience in numbers of injuries and all related expenses required for medical and hospital care.

c. Expenses for Job Connected Accidents: 1969 expenditure, \$6,000; 1970 request, \$10,000. The increase was based on a calculation of 30 men killed on duty peryear at a cost of \$100 per funeral. Data to support the additional funds are lacking.

d. Other Costs: 1969 expenditures, \$600; 1970 request, \$1,500. Funds pay members or delegates to the various commissions, such as the promotion board members and supplemental judges. The increase was requested without justifying data.

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3. Capital Expenditures:

a. Capital Investment Furniture: 1969 expenditure, \$15,000; 1970 request, \$100,000. Justification was given as:

- 1) The need for beds without indicating how many are needed or why.
- 2) 200 horses at a cost of \$124 each.
- 3) Apparatus at a cost of \$30,000 for the storage of 12 dead bodies in the medical department.
- 4) Such needs as typewriters, desks, adding machines and furniture, but without any supporting justification.

b. Repairs of Police Buildings: 1969 expenditure, \$15,000; 1970 request, \$25,000. The additional \$10,000 is requested without justification.

4. Repairs and Maintenance:

a. Other than Motor Vehicles: 1969 expenditure, \$10,000; 1970 request, \$25,000. Justification is given simply as urgently needed repairs to police buildings.

b. Automotive: 1969 expenditure, \$30,000; 1970 request, \$100,000. Justification is given that the cost to maintain 270 vehicles is \$300 per year for each. (The police estimate is, in itself, about \$200 short). The 1969 expenditure allowed only \$111 per year per vehicle. Actual repair cost data could be assembled given the maintenance records kept in the vehicle repair shops.

c. Transportation Support: 1969 expenditure, \$101,500; 1970 request, \$150,000. These funds are for gasoline and oil. Some efforts were made to develop statistical justification. An average use of ten gallons per day per vehicle was estimated, concluding that 3,220 gallons a day would be required to run the fleet. It was thus calculated that \$260,000 per year is required for gasoline alone. The item concluded that \$150,000 would probably be sufficient.

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5. Operating Expenses:

a. Supplies and Materials: 1969 expenditure, \$30,000; 1970 request, \$105,000. This item covers office supplies, tear gas, rewards, expenses associated with "Police Day", and Christmas toys. The requested increase of \$75,000 was based on an estimate of a need for no less than \$40,000 for tear gas, but again without analysis of past experience. A request for \$24,000 for toys for the 20,000 children of the NCP personnel was included. A total of \$7,000 was estimated as required for "Police Day" with no explanation. Finally, office supplies (papers, pencils, typewriter ribbons, etc.) are described simply as a need throughout the NCP without any estimates of current or past usage. Priority was placed on tear gas and toys.

b. Police Equipment (uniforms, etc.): 1969 expenditure, \$98,000; 1970 request, \$250,000. Justification is given based on prior experience that each officer requires a minimum annual allowance of \$90 and each policeman, \$64. This would indicate a requirement of \$374,000. The original 1969 level of \$50,000 was doubled at mid-year by President Velasco.

c. Forage: 1969 expenditure, \$35,450; 1970 request, \$46,282. This would provide for an additional 200 horses and mules. Based on a \$53 per animal requirement, current forage provides for 668 horses and mules.

d. Transportation, Public: 1969 expenditure, \$15,000; 1970 request, \$30,000. Funds pay the cost of public transportation and in-country travel per diem. Again, no justification.

e. Fixed Services: 1969 expenditure, \$12,000; 1970 request, \$30,000. Funds are used to pay utilities (lights, water and telephone). The additional \$18,000 is requested with the argument that the present budget does not cover the costs incurred by the Quito headquarters alone. It is argued that the monthly telephone bill in the headquarters alone is \$19,800 per year. No further justification is given.

f. Variable Services: 1969 expenditure, \$1,500; 1970 request, \$5,000. Funds are for official publications, notices of condolence and police funerals. (A duplication of expenses shown above)

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g. Rents: \$23,700 in 1969. Requested an additional \$1,800 as current and past due rents of police offices throughout the country. Lacks justifying data.

h. Official Correspondence: 1969 expenditure, \$1,200; 1970 request \$2,500. Pays for postage and telegram fees. No supporting data.

6. Miscellaneous:

a. Retirement Fund: 1969 expenditure \$190,000; 1970 request, \$300,000. The increase requested is conditioned on the approval of the personnel increase.

b. Debts Pending: 1969 expenditure, \$13,600; 1970 request, \$150,000. Justification begins that NCP debts amount to more than 8 million sucres (\$400,000), many of which have existed for "too many years". Debts are identified for fixed costs, gasoline, office supplies, rents, spare parts, etc. The justification goes on to explain that a great many creditors are no longer cooperating with material and services and that many contracts have been annulled. Although \$400,000 is owed, only \$150,000 is requested.

Criminal Investigation Services: 1969 expenditures, \$9,000; 1970 request, \$25,000. The justification states that \$100,000 is needed, but without an explanation as to what the money is for. (It may be the payment of informants.)

International Agreements:

Interpol: 1969 expenditures, \$1,800; 1970 request, \$4,000. Requested to pay Interpol dues and travel costs of the Interpol representative.

USAID/Ecuador: 1969, \$100,000; 1970 request, \$100,000. These funds were requested for the "Cooperative Program Fund".

The 1970 request added three new line items. They are:

a. Hospitals: 1969 expenditure, nothing; 1970 request, \$50,000. This is to build a new police clinic. Again, there is an exhortive justification lacking in basic data.

b. Representation Funds for the Nine Department Chiefs: 1969 expenditure, nothing; request for 1970, \$2,700. The request is based on a need for \$300 per Chief in representation funds.

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c. Acquisition of Vehicles: 1969 expenditure, nothing; 1970 request, \$250,000. The adjusted budget showed no line items for vehicle purchases; however, the justification of the 1970 budget request says that \$100,000 was made available for the purchase of vehicles. (This may have been a part of the popular subscription for funds noted in the Section on Public Relations.) The budget request justification explains that until June 30, 1969, there was a contract with A.I.D. whereby vehicles could be imported without payment of customs duties. Without the USAID contract, the price per vehicle (now about \$3,000) would be doubled. It goes on to say that an additional 90 or 100 vehicles are needed at a cost of \$250,000 and that part of the fleet should be changed each year at a cost of \$100,000. It further proposes the establishment of a similar contract with a U.S., Japanese, or European manufacturer including a clause that would permit vehicle imports free of customs duties. Prices to the public for new and used cars are extremely high due to the high customs duties. A part of the fleet would be sold at public auction each year at prices sufficient to cover the duty free importation of new replacements (about \$100,000 per year).

In conclusion, the entire budget reflects a serious need for improved research and planning, including participation by all of the staff, administrative and line elements of the NCP, to determine actual needs and to offer substantive justifications. Early efforts will probably meet with frustration from the cavalier treatment of legislators. In time, the carefully prepared budgets can become powerful tools for publicly demonstrating the NCP's real needs, and thus encouraging more sympathetic treatment by political leaders.

An important new resource has been added by Decree Law No. 69-12 published May 6, 1969, providing that 1% of the value of all foreign exchange transactions be allotted to the NCP budget. Eighty percent of the proceeds would be devoted to personnel costs and twenty percent to operating costs and investment.

Foreign exchange in 1967 amounted to 302.1 million dollars and in 1968, 621.3 million dollars. The 1969 figure is the same as 1968 would give an estimated \$6,213,000 which would permit \$4,970,400 for salaries and \$1,242,600 for capital investment, maintenance and operating costs. This could solve the financial difficulties of the police, unless the legislature merely absorbs these additional funds into the normal budget by reductions of yearly appropriations. Thus far, experience indicates that most of the funds released have been utilized only for salaries.

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B. CUSTOMS POLICE

1. Investigation

At the present time, the Investigation/Intelligence function of the Custom Police practically does not exist. A former IPA graduate has proposed and secured approval of a customs intelligence unit that will have the following responsibilities:

1. To assist the Customs police with information leading to the control and repression of contraband.
2. To coordinate with other elements of the Customs police, as well as other law enforcement agencies of the Republic in seeking information assisting the control of contraband.
3. To direct and coordinate internal investigations within the Customs police to prevent the inhibition of the proper functioning of any of its elements.
4. To assist in training and guiding the development of efficient operations throughout the Customs police.
5. To maintain a statistical and records service to assist the compiling and dissemination of information related to Customs violations and violators.
6. To study the physical security of Customs police installations and recommend improvement.
7. To assist in preparation of budgets related to Intelligence and Investigative operations.
8. To assist in protection of confidential sources of information.

The proposed organization called "JISPA" would consist of a headquarters in Quito reporting directly to the Commander General. Field offices would be located in the District Headquarters of Guayas, El Oro and Yahuarcocha with elements subordinated to these in Manta, Esmeraldas, Huaquillas, Cuenca, Lojo and Rumichaca.

The headquarters will consist of a secretary, a records section and the intelligence section, and will require total staff of one officer and eight enlisted men. The District Offices would be organized in the same manner with one officer and seven men in each and the Sub-Agencies would consist of a Sergeant in command with a Corporal and five or six men.

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The total organization would require four officers, thirty noncoms and thirty policemen for a total personnel staff of seventy. Equipment required is presently estimated as four 3/4 ton pickup trucks and appropriate arms and ammunition.

Firemen who will constitute the nucleus of this unit have been trained in the Intelligence school of the General Directorate of Intelligence (DGI) in the same classes attended by representatives of other law enforcement and military agencies.

Because of the difficulty in ferreting out violators of laws related to the national fiscal policies, the intelligence function of a Customs unit becomes highly important. It is rare when a citizen volunteers a complaint against the person involved in contraband violations. Therefore, the Customs police must take the initiative to seek the criminal activity.

The Customs police apparently fully intend to establish this unit as projected. Plans are now under way to train thirty Customs Agents in a special DGI course during early 1970. Completion of the unit is expected by the end of 1970.

## 2. Police and Public

No police programs in the customs police exist. It is highly necessary, given the hostile attitudes of many of the people living in the frontier communities where contraband is an important factor in their lives.

## VII. THE LAW AND THE JUDICIARY

The legal system in Ecuador derives from the Roman/Napoleonic/Spanish/Colonial Latin American "inquisitorial system" of judicial administration as opposed to our "accusatorial" and "common law" system. Their's is characterized by the legislation of all criminal law, the reducing of all cases to writing, no juries, and the active participation of the judges and magistrates in the investigation and the examination of witnesses and other evidence in judicial proceedings. As was noted in Chapter V, the court is fairly well separated from the executive and legislative branches of government and has enjoyed great stability and a popular reputation for fairness throughout much of Ecuador's history. Moreover, it is reported that the opinions of high level magistrates are respected.

The courts are organized at four levels beginning at the top with the Supreme Court and the Superior Courts. Next are the provincial and finally cantonal courts. Although the cantonal courts can regularly hear criminal cases, their function is only to decide whether or not to "bind over" the suspect for trial. First instance trials in all criminal cases are the responsibility of the provincial court.

There are nine Judicial Districts, each containing a permanent superior court, located in Quito, Guayaquil, Cuenca, Ambato, Ibarra, Loja, Riobamba and Machala.

At the Supreme and Superior Court level, there is little or no specialization between criminal and civil hearings. Each province, however, has at least one criminal court. The more serious cases in the provinces are heard by a "Tribunal de Crimen" (Crime Tribunal) made up of the provincial court and with additional members appointed by the Superior Court. (Political Licutenants in the small parishes act as both prosecutor and judge in minor cases referring only serious crimes to formal judicial authorities.)

In most criminal cases, the police are responsible for providing a written case report to an indicting authority within 15 days. In the case of a canton, the judge will decide whether or not the case should be bound over for trial at the provincial level. The cases for both the complainant and the defense are made in writing through the judge's assistant, called a "fiscal". Confrontation of the accuser or witness by a defendant is rare, although searching verbal examination of all witnesses by the judge is common. In serious cases, the procedure more closely approximates our own, in that defense and prosecution representatives may cross examine witnesses and make closing arguments. In these cases, the defendant may elect to remain silent.

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Rules of evidence are not as strict as in our system. Verdicts require a simple majority, but each case must be reviewed by a higher court before either the verdict or the sentence becomes final.

The maximum penalty is sixteen years. (There is no capital punishment). In general, most sentences are light compared to our own. A maximum six days confinement is provided for misdemeanants as compared to a year in most of the U.S. One to five years is prescribed for robbery and four to eight years for attempting to overthrow the government.

It is reported that judges are routinely vulnerable to bribes at lower levels and political influence at higher levels. It is also said that they lack in industry, administrative and management capacity, and the kind of technical expertise required for their deep involvement in the criminal investigative processes. With some justification, they tend to ignore the investigation case reports of the police, even those aspects that have strong probative value. They are far behind in their work as evidenced by the large numbers of pending criminal cases indicated in Annex A. Their reputation for "fairness" may bear some relation to the fact that only about 20% of arrested persons are bound over for trial and, whether prosecuted or not, an estimated 90% of prisoners are released within three to five days after arrest.

Relationships between the courts and the police appear to be good but the formal coordination of their roles is deficient. The high rate of recidivism noted in the criminal files kept by police reflect a laxness on the part of courts perhaps due in part to poor police case preparation.

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## VIII. THE A.I.D. PUBLIC SAFETY PROGRAM

## A. HISTORY

## 1. Past Project Agreements

*Fiscal Year 1962:*

The first Project Agreement was signed May 2, 1962, with the Ecuadorian Minister of the Treasury for a program in contraband control only. It mentioned that "a principal source of income for the GOE continues to be customs duties despite significant revenue losses due to smuggling. Curtailments of these losses will make additional funds available to the GOE for financing economic and social development".

Objectives were to: (1) Establish good personnel selection standards for Customs Guard. (2) Carefully select, train, and establish career status for Customs Guard. (3) Accomplish general reorganization of Customs Guard. (4) Establish National Customs Guard School.

The principal GOE obligation was to "...make effective use of technical advice, assistance and commodities contributed by USAID under this Project".

Other important commitments of the Proag were that the USAID will provide contraband control training; training in the use of commodities; and U.S. training costs. The GOE would furnish: international travel for participants, a full time assistant to each US Advisor; and "Official Coordinator" in the Ministry; office space and utilities; building, utilities, and personnel for a National Customs Guard School. The GOE would also: consult the U.S. technician before buying its own equipment; pay all handling costs of U.S. donated commodities; provide men for on-duty training; provide job security and opportunities for advancement; maintain property records; take over ownership of U.S. donated property at expiration of the Proag; agree to push needed legislation as well as implement project recommendations.

The U.S. contribution was to be a Public Safety Contraband Control Specialist (FSR-5), participant training (2 officers for 8 mos.): \$9,000, commodities (vehicles, commo, one boat, munitions, etc.): \$133,000, and other costs; \$5,000. The GOE contribution identified above was estimated at \$61,000.

*Fiscal Year 1963:*

On December 28, 1962, a proag was signed with the Ministry of Government and Police expanding the program to include general police assistance to the Ecuadoran National Police.

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The objective was "...to increase the capability of the National Police Force of Ecuador to maintain internal security and to provide maximum protection for lives and public and private property. It stressed improvements in mobility and communications, civil disturbance control, and in-country training programs. Provision was made for a five-man staff of advisors supplemented by a nine-man Ecuadoran staff. Thirty-five thousand dollars was earmarked for commodities (seven vehicles, radio maintenance equipment and U.S. excess property) and \$19,000 for other costs.

The "Cooperative Fund" first appeared in the FY 63 proag. It consisted of \$800,000 sucres (about \$40,000) of GOE money deposited in a special bank account to fund, "...(1) procurement of supplies and materials, (2) vehicle maintenance, (3) contract services for the establishment of shops for equipment maintenance, (4) salaries of additional personnel required in the use and maintenance of the equipment, (5) the international travel costs of participants, and (6) approximately 100 horses and saddles for the rural police..." This Fund was jointly controlled with each withdrawal requiring the approval of both GOE and USAID officials.

This proag was amended six times raising the U.S. contribution to \$964,000 (contracts—\$25,000, commodities—\$908,000 and other costs—\$31,000). The basic program objective remained the same. The project description was somewhat amplified to include stress on police organization, the establishment of improved vehicle maintenance facilities in Quito, Guayaquil and Cuenca, and an improved police budget. The Public Safety staff was increased to five. The participant program was increased in scope and a large amount and variety of commodities were procured (see annex ).

*Fiscal Year 1964:*

The FY 64 proag, signed February 6, 1964, slightly revised the objective. It now read, "The purpose of this project is to increase the capability of the Ecuadorean law enforcement agencies to maintain internal security; assistance will be provided to enhance the capability of the agencies both to combat subversive, terrorist and guerrilla activities and to perform standard police functions. The project description remained nearly identical to that of FY 63. U.S. input provided for four full-time and ten temporary advisors, sixty-five participant, nine local employees and a wide variety of commodities (see annex ).

The GOE contribution was raised to 2,000,000 sucres (about \$100,000) deposited in the Cooperative Program Fund to be used as indicated in the FY 63 proag.

The FY 64 proag (including its five revisions) provided a U.S. contribution of \$118,700 (\$24,700 for contract services, \$48,000 for commodities, and \$46,000 for other costs.)

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The proag also fixed a great many specific requirements for GOE self-help. Most were designed to overcome weaknesses in maintenance practices and to make funds available for routine operations.

*Fiscal Year 1965:*

The FY 65 proag, signed September 30, 1964, was almost identical to FY 64. A project to improve the National Police intelligence gathering capability was added. The proag provided for six full-time advisors and one short-term technician, "With particular emphasis on matters pertaining to internal security." Mention was also made of need for a "Narcotics Technician". Local staff was reduced to five personnel.

The U.S. input was \$94,000 for commodities (see annex ) and \$26,800 for other costs. GOE input reached \$4,100,000 sucres (about \$205,000) of a promised 6,900,000 sucres (about \$385,000). This again was paid into the jointly controlled "Cooperative Fund". This fund still covered the main purposes assigned to it in the FY 63 proag, but developed with greater specificity, thus assuming the character of a budget for operating, maintenance and some capital investment expenditures.

The proag also included a specific provision obligating the GOE to provide 1,200,000 sucres to the National Police for "gasoline, oil, and other lubrication". Again the proag stressed GOE actions needed for the proper use and maintenance of equipment. Finally, a year-end amendment (#5) was made jointly with the Mingov and Minfin adding a U.S. contribution of vehicles to the Customs Police as well as a Custom Police contribution to the "Cooperative Fund." (This contribution was never made.)

*Fiscal Year 1966:*

The objective and project description of the FY 66 proag was again almost identical to the proag of the previous year. It provided for a staff of six full-time advisors and two short-term specialists, one in customs and the other in logistics matters. Training was provided for twenty-two participants from the National and Customs Police. A total of \$148,457 was provided for commodities, (see annex ) and \$10,486 for other costs.

The GOE contribution, again to the "Cooperation Fund", was for the National Police, about \$98,300 (more than twice that promised in the proag) and for Customs Police, their first and last until FY 69, about \$20,000. Other provisions of the proag were identical to the previous year.

*Fiscal Year 1967:*

The FY 67 proag departed somewhat from previous agreements. The objective was stated as being simply, "...to increase the capability of the Ecuadorean law

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enforcement agencies to maintain internal security and public order." The prog then described ten specific courses of action as follows:

- "1. Continuation of the comprehensive in-country police training program."
- "2. Assistance in the proper use of police communications and transportation equipment."
- "3. Technical assistance in advanced police organization and management techniques."
- "4. Training of qualified police personnel in the United States and third countries."
- "5. Technical assistance in up-grading criminal investigation and apprehension procedures."
- "6. Technical assistance in scientific criminalistics."
- "7. Technical assistance in creating central identification facilities."
- "8. Technical assistance in creating sound departments of Services and Supplies."
- "9. Continuing to improve, through training and guidance, the operation of the vehicles and communication repair centers in Quito, Guayaquil and Cuenca."
- "10. Providing certain commodity support."

The prog provided for six full time advisors and five local hire employees (one senior administrative assistant, one junior administrative assistant, one bilingual secretary, one communications technician and one vehicle maintenance technician). Training for fifteen participants was provided, as well as \$51,400 in various commodities (see Annex ) and \$12,784 in other costs.

The GOE contribution was nearly identical in substance to past years and amounted to \$1,000,000 sucres (about \$50,000). Provision was again made for the "Cooperative Fund" and the special paragraph on gasoline, oil and lubricants was included. Again, paragraphs appeared wherein the GOE agreed to "...to properly use this equipment" and to, "...utilize the recommendations of the USAID." ....and to assure their (program equipment) proper utilization in carrying out the objectives of this project...."

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This proag also included a new section of "Special Provisions". The most important of these was the requirement that the GOE "...maintain their accounting records pertaining to this project in conformity with methods agreed upon by the principles involved and make such available to the USAID and Controller General of the GOE for inspection and audit...."

Another new provision in this proag was an agreement that the GOE should auction equipment donated by AID in the past but no longer useful to the program and deposit the proceeds into the "Cooperative Fund".

*Fiscal Year 1968*

Two proags were negotiated in FY 68. The first, signed August 25, 1967, was with the Secretary General of the National Security Council to "Improve the technical, operational, liaison and training capabilities of the DGI." The DGI, mentioned above, is the Directorate General of Information, a special intelligence unit. The U.S. contribution was one advisor. The GOE contribution was \$5,000. This proag was considered an adjunct to the regular FY 68 proag and no separate financial accounting was established.

The regular FY 68 proag was signed May 7, 1968. It incorporated almost all of the elements of the FY 68 proag and added much more detail. The objective was expanded to read as follows:

"Improve the technical and administrative capabilities of the National Police for effective development planning, modernized personnel management, improve logistical organization and support and update specialized police methods to provide an adequate level of law enforcement and internal security necessary for social and economic development in Ecuador."

Courses of action were again listed, thirteen altogether, most paralleling those of the FY 68 agreement. Added were technical assistance in improvement of police public relations, in construction projects undertaken by police and in strengthening and improving rural police operations and practices.

Provision was made for an undetermined number of advisors, the same five local hire employees, five participants, \$27,000 for commodities\* and \$9,300 other costs.

The GOE contribution and commitments were substantially the same as prior years: They deposited over half of a promised 2,000,000 sucres to the Cooperative

\*The proag "face sheet" clearly showed a downward revision of commodity funding from \$46,000 to \$28,743. A half-hearted attempt to obliterate the original face-sheet figure was not successful. Moreover, the figure \$46,000 was allowed to remain in the narrative section of the proag.

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Fund (actual deposit about \$67,500) and agreed to set aside 2,500,000 sucres for gas, oil and lubricants. They made the usual commitments to properly utilize and maintain equipment.

The unique aspect of this proag was a listing of specific GOE actions related to the objective and especially the thirteen courses of action mentioned above. GOE agreement was obtained in (1) a plan to phase shifting of control over the Cooperative Fund to the GOE, (2) the establishment of a central purchasing division in the police, (3) an equipment replacement program, (4) a vehicle and commo distribution plan, (5) the development of satellite equipment repair shops, (6) the establishment of technical grades in the police, (7) a rural police training program, (8) a mobile training program, (9) intelligence training for police at the National Intelligence School, (10) a reorganization of the Office of Police Public Relations, (11) the renovation of the Rural Police School, (12) a place for redistribution of the rural police, (13) upgrading of rural police commo and logistics, (14) and in the development of rural community Public Safety Committees.

#### *General Observations of the Project Agreements*

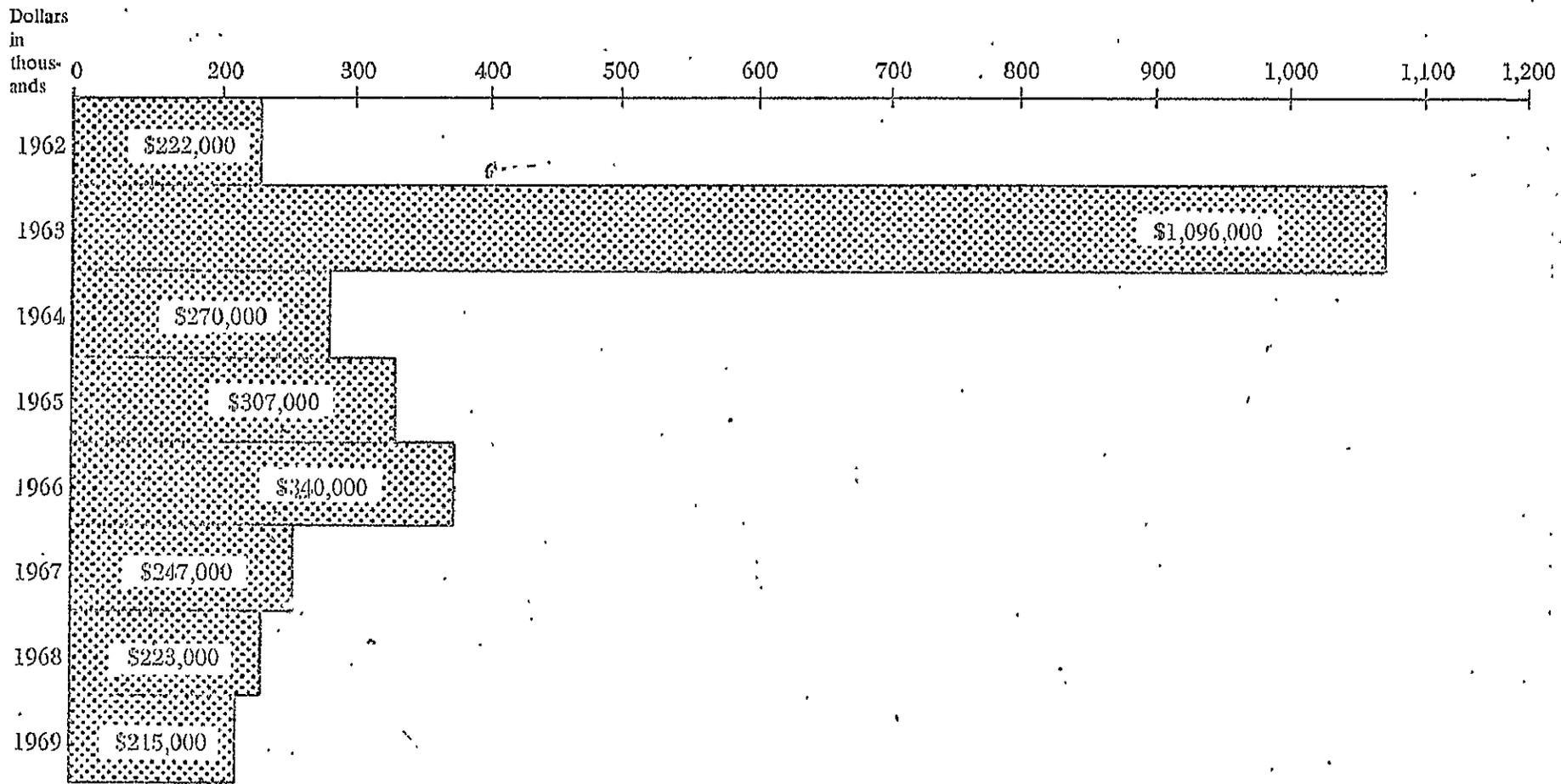
With the exception of the very first proag with the Customs Police, only Public Safety proags were characterized by little specificity in agreed U.S. and GOE actions related to the objective, and a relatively heavy U.S. input, especially in commodities. Little or no attention was paid the Customs Police project. The Cooperative Fund became an institution almost from the outset.

As time passed, the proags developed more detail in courses of action and they also continued increasing provisions designed to exhort GOE attention to proper equipment maintenance and utilization. GOE input to the Cooperative Fund remained at between one and two million sucres, but U.S. equipment and participant training contributions dropped to a tiny fraction of their original size.

Ultimately, the proag began to list some specific agreed-upon activities by both sides designed to reach some specific targets. Even then it is difficult to isolate joint U.S. and GOE actions as coordinated in amount and type of resource input, timing, and problem solving to produce a specific result in each of the agreed activities.

## 2. Past U.S and GOE Inputs

a. U.S. Inputs — The program has provided technical advisors, participant training, commodities, and funds for local travel, local hire employees, training aids, etc., since 1962.



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(1) *Actual Obligations History (U.S. Technical Assistance Development Grand Funds).*

The actual obligations history is as follows:

Total obligations through FY 68 were \$3,195,000\* broken down as follows:

<u>Component</u>	<u>Dollar Cost</u>	<u>Percentage</u>
Technicians	\$ 948,000	29.5
Participants	\$ 274,000	8.5
Commodities	\$1,802,000	56.7
Other Costs	<u>\$ 171,000</u>	<u>5.3</u>
	\$3,195,000	100.0

(2) *Technicians (U.S. Direct Hire):*

Although at one time as many as seven advisors were authorized for the Public Safety Division, actual assignments have been as is shown in Annex . At peak strength there has been a Chief and specialists in investigations, training, rural police, customs, logistics and a generalist area advisor in Guayaquil. In addition, the PSD has long had a staff of local direct hire personnel consisting of a Supply Administrator, an Administrative Assistant, a Communications Technician, a Transport Technician, and a secretary. Liaison personnel from the National Police, Customs Police, and other units regularly appear at the PSD offices.

The Division is organized as is shown in Annex . The duties and responsibilities of the current staff are as follows:

(a) *Chief Public Safety Advisor - John H. Doney*

1. Develop and negotiate specific Public Safety Program objectives in Ecuador.
2. Direct Public Safety Staff operations and assign tasks and priorities in accordance with current objectives and CT guidelines.
3. Evaluate Public Safety Program activities and take corrective action where indicated.
4. Maintain liaison with CT elements and GOE counterparts.
5. Report appropriately concerning program activity.

\*Form FY 62 through FY 66 these resources were shared by the National Police and the Custom Police.

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(b) *Area Advisor, Quito - Carlos Lopez*

1. National Police Program. Overall responsibility for implementation of the Rural Police Project. Procurement and expediting of excess property from Panama Canal Zone. Assist in Program documentation and reporting.
2. Customs Administration. Is charged with responsibility for the Customs Administration segment of the Customs Police/ Customs Administrative Program, collection of data, conducting preliminary negotiations with GOE, preparing way for possible intensive Customs Administration reform project financed by a loan.
3. Acting Chief in absence of the Chief Advisor.

(c) *Area Advisor, Guayaquil - Bryan Quick*

1. General supervision of program matters in the coastal area and follow-up on commodities. National Police and Customs Police/Customs Administration.
2. Expedite Public Safety commodities through Customs; file receiving reports, issue as authorized.
3. Render technical assistance and cooperate with Training Advisor in implementing training projects.
4. Report and make recommendations to Chief Advisor.

(d) *Training Advisor, Quito - Andrew Gussie*

1. Recommend improvements in police training programs and assist in organizing police training projects throughout Ecuador.
2. Liaison and assistance to National Intelligence School (DGI) in training National Police and Customs Police personnel.
3. Supervise and issue available training materials, including training ammunition.
4. Supervise selection and documentation of participants.
5. Report on police training matters.

(3) *Public Safety Division (Ecuadorean Staff)*

(a) *Commodity Administrator - Mouricio Moncayo*

1. Supervise and report on the receipt, issuance, and end-use of Public Safety commodities, as instructed by the Chief Advisor.

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2. Recommend priorities in the use of the GOE Cooperative Program Fund.
3. Develop and maintain liaison with GEO officials in the interest of Public Safety Program objectives.
4. Cooperate in carrying out recommendations of Public Safety Advisors in logistical matters.

(b) *Administrative Assistant* - Elsa Pesantes

1. Maintain records of Public Safety commodities, office inventory, collect and maintain statistical data related to program, supervise office procedures, routine police liaison.
2. Liaison in Cooperative Program Fund matters.
3. Direct supervision of office operations, including one secretary.

(c) *Secretary* - Giovanina Faini

1. Bilingual secretary.
2. Handles time and attendance, vouchers, purchase orders, etc.
3. Office receptionist and appointments.

(d) *Telecommunications Technician* - Segundo Almada

1. Supervision of installation and maintenance of Police telecommunications facilities.
2. Recommend and supervise technical training for police radio technicians and operators.
3. Conduct communications surveys and make recommendations to the Chief Advisor.

(e) *Automotive Technician* - Emilio Guarderas, Contract (3 months only)

1. Supervises installation and operation of police automotive maintenance facilities.
2. Surveys automotive maintenance needs and makes recommendations to the Chief Advisor.
3. Recommends priorities in the repair of vehicles.

Duties are assigned with regard both to routine office chores and some specific program activities. The present assignment of duties does not relate directly to all of the program activities identified in the program nor with counterparts, counterpart elements or levels appropriate in the police forces. Much of this is done informally due to the small size of the Division and the flexibility demanded of the

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staff. Also, the situation was somewhat confused at the time of the evaluation due to the breakdown in relations with the National Police.

U.S. and Ecuadorian personnel in the Division evidenced high morale and good discipline. The group appeared to be a happily, well integrated, and capable in producing ample and accurate work. They are generous with gratis overtime, and dedicated to the objectives of the program.

(4) *Participants:*

Since 1962, a total of 280 participants have been trained (see Annex ). Two hundred and thirty-four of these came from the National Police of which 191 are still in service. Fifty-three of those still in service occupy key staff and command positions in the police force (see Annex ). Of the forty-six participants trained in the Customs Police, only nine remain.

The multiplier effect is evident in the local training that has been accomplished in the National Police. Over 11,000 men have been exposed to instruction in ten general and specialized areas of law enforcement. Ex-participants of the National Police are also active in a program of interior training groups that visit police detachments in the interior to provide instruction. They have trained 221 men in a variety of police subjects. Few officers and NCO's, however, have taken advantage of this training when the group arrives in a unit.

It was observed that a few officers have received third country training in no way associated with the Public Safety program. Two NCP sergeants are just completing a year of training in police dog handling with the Colombia National Police. The NCP criminalist, Dr. Gonzalo Grijalora, studied briefly at the Scotland Yard laboratory in the UK. The Chief of Training spent a month with Italian police in 1968. Argentina regularly invites two cadets for two years of training each in their cadet academy. Another officer had received a short course several years ago with the French Surete. Most of these are at the invitation and expense of the host country.

Participants have been selected jointly by the NCP command and the Public Safety Division. One current bone of contention on the Ecuadorean side is a desire to have full control over participant selection. They also want to reduce the numbers of junior officer participants in lieu of shorter executive training programs for senior officers.

It was noted that returned participants automatically receive extra seniority points toward promotions. One of the arguments for continued participant training made by the Director General, Washington Martinez Torres, was the general esteem in which a former participant is held by his fellow officers and the community.

In general, the returned participant exhibits a far better understanding of the U.S. and is more at ease with North Americans. A few are critical of some aspects of the International Police Academy program. One suggested less general training in police administration and more instruction in certain specialties. He also recommended more sports, a weekly delivery of newspapers from the participating countries and more North American instructors. He praised the system of assigning North American counsellors with each class and the principle of student participation in the exchange of information, experience and views.

(5) *Commodities*

Data related to equipment is explored more thoroughly in other sections of this report. A complete commodity profile and commodity recap is provided at annex . It shows the amount of U.S. money spent and the items provided by fiscal year since the beginning of the program. About \$1,500,000 grant technical assistance funds have been expended this area. Much of the equipment provided was new. Large amounts of used excess property, including about 250 vehicles, were secured for only the cost of transportation from the excess property stocks in the Panama Canal Zone. Excess property will be discussed separately below.

(a) *New Commodities*

These have concentrated on vehicles, telecommunication's equipment, police arms and ammunition, non-lethal riot control equipment, laboratory and training equipment, and some others.

(b) *Vehicles*

Of an inventory of 312 vehicles, 252 are in use and sixty are unserviceable. Of the latter, twenty-seven have been auctioned and the proceeds deposited in the Cooperative Fund. The year model of the vehicles still in use are as follows:

1945	2	1960	4
1950	1	1961	12
1953	2	1962	19
1954	26	1963	16
1956	3	1964	59
1957	7	1967	12
1958	3	1969	46
1959	33		

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Although this is an indication of a successful vehicle maintenance program, it is evident that a great many vehicles are maintained beyond reasonable economic limits. Eighty-eight of the above are in poor condition.

Utilization of vehicles is generally businesslike although higher ranking officers are occasionally observed using official vehicles for personal errands. In small town detachments it is harder to distinguish between personal and official use of vehicles. General vehicle utilization practice compares with smaller U.S. police departments.

The three major vehicle maintenance shops established with USAID assistance in Quito, Guayaquil, and Cuenca are excellent by any standard. A problem arises in providing routine vehicle maintenance to detachments that are distant from the shops. Another serious problem rises from the lack of vehicle standardization. There are no less than eleven different makes (including German and Japanese) fifteen different year models, and twelve different types (from car to dump truck) of vehicles in the fleet which demands extraordinary versatility from mechanics and spare part stocks.

Customs Police vehicle utilization and maintenance are deficient. Twenty-nine vehicles have been provided by the USAID, most in 1964. Of these, eighteen have worn out and been auctioned for about \$6,000. The money was deposited in the National Reversion Account. The vehicles that remain, together with those acquired by the GOE, amount to an inventory of thirty-five vehicles. Of these, ten are old and in poor condition, five are repairable, and two unserviceable (see annex ). A Custom Police vehicle maintenance shop in Quito is presently being improved with USAID assistance.

(c) *Telecommunication Equipment\**

AID has provided fifty-five base station radios, forty-four mobile radios, thirty-six portable radios, and twenty-seven electric generators at a cost of about \$286,000. Over 80% of these were given to the NCP and the rest to the Customs Police. AID has also provided repair equipment and spare parts at a cost of about \$55,000 to equip three repair shops in the National Civil Police and one in the Customs Police. (Some of the above equipment was provided on a "crash" basis in preparation for the eleventh Inter-American Conference of Foreign Ministers that was scheduled in Quito in 1959 but never took place.) The equipment is fully utilized and kept in good repair. A complete maintenance and utilization record is kept on every radio. The shops are well organized and staffed with adequately trained repairmen. Problems crop up in budgeting and purchasing of adequate spare part stocks. The local hire PSD telecommunications technician has done a competent job in developing good repairmen, and the shops with attendant systems and procedures.

\*Actual descriptions of networks appear on pages \_\_\_\_\_ and \_\_\_\_\_.

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Some problems encountered are:

1. Many radios are growing old. Spare parts are hard to obtain. Some radio overhaul is needed and a systematic program of replacement of obsolete and worn out.
2. The GOE has purchases some eighty-two "COMCO" VHF-FM 75 watt mobile and base transceivers. It was reported that these radios have been found "neither hardy nor easy to maintain". Technical personnel of the Office of Public Safety in Washington believe that these radios should be quite suitable.
3. Nickel-Cadmium batteries for walky-talkies have been costly to obtain.
4. Thirty-six Hammerlund FM-5 radios provided by AID are regarded by the Ecuadorean as portables but can be used as base stations as was attempted in Guayaquil. The radios have not held up, but this is not due to poor maintenance or abuse. It happens that these are part of a production of nearly 4,000 units that were distributed to several Public Safety Programs throughout the world in 1965 and 1966. Nearly all were seriously defective in quality and adherence to specifications. The issue has long been in litigation. There is no economical way to salvage these units. Newer productions of the FM-5 and other units of the "Vietnam Village Hamlet" family of radios have proved to be inexpensive and excellent for police and paramilitary use, especially in the LDC's.
5. The need for repeaters for the radio patrol net in Quito became apparent when the cars encountered numerous "dead spots" in the city. A private U.S. company provided a study of a reported system for the network with an estimated implementation cost of \$54,000. The police with US A.I.D. help then devised a makeshift repeater that works but occasionally break down. A new repeater with accessories should cost no more than \$3,000.
6. The fourteen TR-35 AM transceivers are used as base stations in the rural networks of the Northern coastal provinces, purchased by the GOE have not held up well and do not net with the single sideband frequencies of the rest of the rural end. Now out of production, maintenance of these units is difficult due to problems of acquiring spare parts and the necessity to fabricate such accessories as modulation transformers in the shop. The present inventory should be allowed to wear out and be replaced. As replacements, the

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GOE is toying with the idea of purchasing and assembling Model HW-18-1 two channel SSB Heathkits at about \$160 apiece. Valuable for training, this equipment may be too limited in durability and reliability for official use. Extensive in-service testing over a reasonable period of time should be done before bulk purchases are considered.

The electrical generator plants provided to the National Police were small, light and inexpensive, but not designed for extensive use. More than half have worn out; others are kept together but are capable only of intermittent and very light use. A larger unit, preferably fueled by diesel oil, capable of extensive use over long period of time perhaps connected with simple wet cell storage batteries would be much preferred. We note that more than a third of the 346 police detachments and posts in the country have no electricity whatever. Fuel allowances are often not adequate for generators.

The kind of installation that should be studied and tested would be the single side-band 20 watt station such as the SBT 22 powered by a 12 volt wet cell storage battery recharged by hand cranked or perhaps even windmill generators. This, or variations, constitute a simple basic unit easy to operate and maintain, hardy and with the capacity to reach long distances over very difficult mountainous or jungle terrain.

*(d) Maintenance*

AID has assisted in the development of three main telecommunications maintenance shops in Quito, Guayaquil and Cuenca. Nine U.S. trained technicians work under the technical guidance of the Ecuadorean technician employed by the Public Safety Division. This technician is capable of assisting the local repairman with difficult repairs.

The NCP now hires young technicians who are recent graduates of the technical schools of Ecuador. These graduates come with six years of theoretical instruction and need only experience and specialization which is provided by the local PSD technician.

Another maintenance problem is the lack of transportation and travel costs for technicians who should travel to perform preventive maintenance at all radio installations.

It was observed that radio operation is professional and businesslike at all locations visited. Some additional training in radio operation and radio maintenance is required but the local technician complains that it's difficult to divert police time and attention from the demands of their routine work due to

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constant police asturity on controlling instability that prevails in so many communities. Some equipment needs to be replaced, others overhauled. Specialists in communications/maintenance need to be recognized with higher specialist grades in order to insure this retention in the organization and prevent their leaving for better paying jobs in private industry.

(e) *Weapons*

Since the beginning of the program, the US A.I.D. has provided 677 38 caliber revolvers, 2,921 M-1 carbines, 150 shotguns and two ammunition reloading equipments. In the area of non-lethal riot control equipment, 4,280 gas masks have been provided and forty 37 mm gas carbines. Weapons were inspected in comandancias detachments and posts in all parts of the country. All units visited maintained some form of arms storage room and in most locations the weapons and ammunition were properly racked, cleaned and oiled. The carbines and revolvers are issued as individual items of equipment. Tear gas cannisters are often kept ready with knap sacks that are hung near the bunds of the men in their barracks. Those that are stored are placed on shelves usually grouped according to the age of the cannister. About 75 percent of the cannisters are outdated and should be used for training purposes.

In a few locations, it was noted that the equipment was kept in poor repair and abused. It was interesting to note that in these same locations, troop and officer morale was low, the facilities of the detachment were run down, and the quality of the leadership unimpressive. The most striking example of this was at Choni of the coastal province of Manabi. There the weapons, shotguns, carbines, revolvers, ammunitions and riot control equipment including tear gas, projectiles and other items had been simply stacked in the corner of a small room and allowed to rust and otherwise deteriorate. A complete resume of the distribution of arms, riot control equipment and other miscellaneous items is provided at Annex

Other items of equipment, such as training equipment, outboard motors, cameras and the like were in evidence and in use with one exception. In most locations, small portable kits for processing crime scenes for physical evidence and tests of evidence such as lifting, latent fingerprints casting and molding impressions and the like were encountered. About 80% of these equipments showed no evidence of use wheater, although they were carefully preserved.

(f) *Excess Property*

Since 1964, the program has taken advantage of excess used U.S. government property that frequently becomes available in the excess warehouse facilities in the Panama Canal Zone. About 250 used vehicles have been brought to

Ecuador and provided to the National Police under this program. The Military Assistance Group has cooperated in this effort by frequently providing free transport of heavier items of equipment. The property is available free of charge and therefore represents a relatively small cost to the USAID. Items available include such things as back packs, helmet liners, helmets, overcoats, jackets, kahi uniforms, field gear, hospital beds, dental chairs, surgical lights and a host of others. The Ecuadoreans have been very resourceful in putting much of this equipment to good use but of late they have begun to resent it, much in the way that a young boy resents hand-me-downs received from his older brothers. A great many specific complaints were heard such as incomplete items that could not be repaired or items that were clearly not useful due to excessive wear or inappropriateness.

(g) *Other Costs*

Since the outset of the program about \$159,000 has been expended under the Other Costs category. Most of this has gone to pay the salaries of Ecuadoran personnel in the Public Safety Division. Part of it is also paid for in-country travel of U.S. and Ecuadoran advisors as well as miscellaneous local costs associated with training and other program activities.

*Ecuadoran Contributions*

The Ecuadoran contribution has been primarily in the form of local cash deposits to the Cooperative Program Fund. Since the beginning of the program this has totalled \$490,000. These funds have been used to defray the cost of maintenance and repair of police vehicles, the international travel of participants, contract services and salaries for shop improvement in both the vehicle and communications shops and other contractual services related to other parts of the program. It is also used for port charges and inland transportation of commodities, general supplies and materials such as paper and ink for program related activities and other miscellaneous expenditures. Prior to FY'67, the Customs Police contributed \$20,000 to defray similar costs. The failure of the Customs Police to make its contribution in FY'67 terminated USAID technical assistance cooperation. Other local contributions have been liaison officers assigned to the project and officers who have undergone training with AID, some office facilities and equipment, a large warehouse which is used exclusively for AID and Embassy requirements, some land for project construction, training facilities and a variety of contributions by local civic groups in small towns where the people have cooperated with the police in building police facilities providing police equipment and otherwise supporting and assisting the local police detachments.

HISTORY OF THE U.S. PUBLIC SAFETY STAFF 1962 - 1969

	FY									
	62	63	64	65	66	67	68	69	70	
<b>CHIEF PUBLIC SAFETY ADVISOR</b>										
Michael Salseda, Jan. 3, '62 - Sept. 18, '66	---	---	---	---	---					
John Doney, Oct. 23, '66 - present					---	---	---	---	---	
<b>PUBLIC SAFETY ADVISOR - TRAINING</b>										
Louis De Celis, Nov. 10, '63 - July 7, '67		---	---	---	---	---				
Alfred O'Campo, Sept. 10, '67 - May 20, '68							---	---		
Andrew Gussie, May 5, '68 - present							---	---	---	
<b>PUBLIC SAFETY ADVISOR - AREA AND CUSTOMS (GUAYAQUIL)</b>										
Jesse Rose, 1962 - June 28, '64	---	---	---							
Nicholas Yantsin, Nov. 12, '61 - Oct. 25, '64	---	---	---							
Ralph Frias, Nov. 1, '64 - May 22, '65				---	---					
Bryan Quick, June 29, '65 - Oct. 12, '69					---	---	---	---	---	
<b>PUBLIC SAFETY ADVISOR - AREA (QUITO)</b>										
Carlos Lopez, Jan. 2, '65 - present					---	---	---	---	---	
<b>PUBLIC SAFETY ADVISOR - LOGISTICS</b>										
Louis LaBruzza, May 10, '64 - Nov. 3, '68				---	---	---	---	---		
<b>PUBLIC SAFETY ADVISOR - INVESTIGATIONS</b>										
John Burke, Jan. 14, '63 - Sept. 10, '67		---	---	---	---	---				
Richard Lewis, Sept. 11, '67 - Sept. 21, '69							---	---	---	
<b>PUBLIC SAFETY ADVISOR - RURAL</b>										
Paul Hoffee, Mar. 10, '68 - Sept. 17, '69								---	---	---
TOTAL MAN YEARS										

*PROGRESS AS OF AUGUST 1964*

- (a) Criminal investigation made function of National Police.
- (b) Rural Police School in Babahoyo organized and activated.
- (c) Centralized facilities for maintenance of vehicles, radios and weapons established.
- (d) National communication net established.
- (e) Mobile radio patrols initiated at Quito and Guayaquil.
- (f) National Traffic Code enacted.
- (g) Police are quelling riots with non-lethal weapons and minimum force.
- (h) Police Intelligence Services are exchanging information with other GOE intelligence organizations.
- (i) National Police have broken down barriers between them and other GOE agencies.
- (j) Trained 158 U.S. (including LAPA), 22 third country, and 1963 in-country participants.
- (k) Training manuals and films developed in-country.

*PROGRESS AS OF JUNE 1965*

*A. Organizational*

- 1. Two vehicle repair shops were built and equipped. None existed before.
- 2. Criminal Investigation function is now under National Police. Criminal Investigation Departments exist in 19 provinces.
- 3. Rural Police school at Babahoyo was activated and 150 rural policemen were trained.
- 4. Mobile radio patrol systems were initiated at Quito, Guayaquil, and Ambato.
- 5. A national traffic code was enacted and 5,000 copies of the code were printed and distributed to the police.

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B. *Attitudinal*

Police have been successfully quelling riots with non-lethal weapons and minimum force. No deaths or serious injuries have occurred in the last two years.

C. *Miscellaneous*

1. A master plan was developed for the protection of dignitaries and key installations.
2. The use of the Police Baton was introduced; 4,000 batons were distributed to the police.
3. An instructor's Training Aids Center was established at the Police Academy.
4. A central Crime Laboratory was equipped and put into operation at Quito.
5. Photographic laboratories were established in Quito and Guayaquil.
6. Central Records and Finger Print Bureau was opened in Quito.
7. A close bond has been established with the local internal security forces which are often politically influential.
8. Participant training was provided as follows:

a. U.S., including IAPA	180
b. Third countries	22
c. In-country	1,963

PROGRESS TO THE PRESENT

Accomplishments have been as follows:

- The GOE decreed the Organic Law for the National Police.
- Two centralized facilities for vehicle and radio maintenance were established.
- The National Police communications network was expanded.
- Mobile radio patrols were initiated in Ambato, Quito, and Guayaquil.
- Radio patrol Guayaquil was increased from 6 cars to 18 cars.

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- Police Intelligence services started exchanging information with other GOE intelligence services.
- National Police started for the first time the concept of public service.
- Thirty-six persons received training as participants and 445 personnel received in-country training.
- Forty ranking police officers completed management training in Ecuador.
- Intelligence offices opened in Guayaquil, Esmeraldas, and Cuenca.
- Twelve inter-provincial mobile radio units were put into service.
- Forty additional Police Patrol vehicles were put into service.
- Roll-Call training program for troop level policemen was put into practice.
- Construction was completed and vehicle maintenance center was put into operation in Cuenca with GOE funding.
- On-the-job training program for mechanics in repair centers was put into practice.
- Completed construction of vehicle and radio repair center for Customs Police Quito, with GOE funding, and put into operation.
- Eight of a total of 15 village radios were installed and functioning.
- Five communication technicians received training in the U.S. and were assigned to the three repair centers.
- Made a complete inventory of police vehicles, and recommended a program for reassignment or disposal of units no longer economically repairable.
- The Police Recruit School in Quito was completed and equipped with GOE funding for construction.

XI. ANNEXES

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## ANNEX A

CRIMINAL AND CIVIL CASES INITIATED, RESOLVED, AND PENDING OF THE ECUADORIAN JUDICIARY  
FOR THE FIRST SIX MONTHS OF 1969

Provinces	CRIMINAL JUDGEMENTS			Population 1969	CIVIL JUDGEMENTS		
	Initiated (cases)	Resolved	Pending		Initiated	Resolved	Pending
Carchi	225	89	136	117,152	1,490	268	1,222
Imbabura	985	426	559	209,652	4,702	759	3,943
Pichincha	761	669	9,709	809,231	1,381	4,495	43,373
Cotopaxi	176	177	516	231,578	509	347	477
Tungurahua	576	449	1,915	251,671	1,699	1,205	7,811
Chimborazo	306	310	1,039	389,954	759	511	9,968
Bolivar	64	181	942	174,210	423	304	2,130
Azuay	559	510	527	312,958	2,473	1,255	22,331
Canar	184	216	492	133,572	713	412	4,439
Loja	583	559	7,632	374,967	1,366	1,284	12,300
El Oro	600 (est.)	298	4,346	229,131	6,864	324	6,540
Guayas	2,332	1,527	2,721	1,355,845	11,825	5,428	11,205
Los Rios	374	130	2,468	341,402	2,466	269	1,537
Manabi	400	433	16,904	803,016	862	451	15,909
Esmeraldas	66	96	3,254	171,140	125	3	3,774
TOTALS	8,191	6,070	53,160	5,905,479	37,657	17,320	146,964

The Justice Tribunals of Tungurahua attend those judgments originated in the provinces of Napo and Pastaza.  
The Justice Tribunals of Loja attend to judgments originated in the provinces of Zamora and Morona.

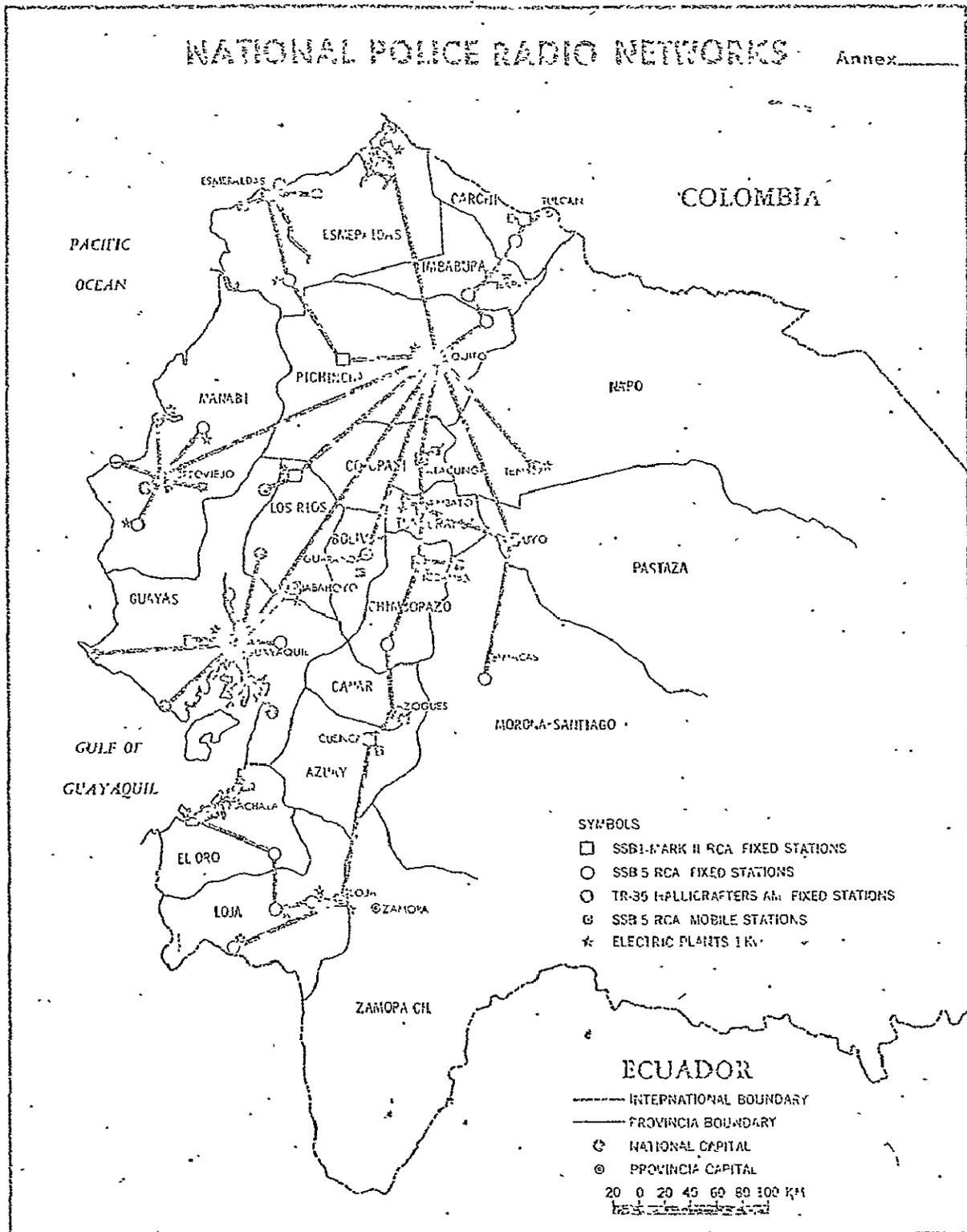
There are Superior Courts in every province with exception of the four oriental provinces of Napo, Pastaza, Zamora and Morona and the Galapago Islands.

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ANNEX B

COMMUNICATIONS, NATIONAL CIVIL POLICE



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ANNEX C

COMMODITY PROFILE, PUBLIC SAFETY PROGRAM

FY 63	\$923,000	2,000 Carbines 4,500 Grenades, CN 40 guns, gas, CN 550,000 rds ammo .38 150 guns, 12 ga. riot 19 base radio stations 27 generators Lab and training equipment 1800 gas masks 1 Million rds ammo., .30 carbine 500 revolvers, .38 cal. 1,275 projectiles, CN 15,000 rds ammo., 12 ga. Misc. electronic equip. spares and test equip. 44 Mobile radio units Investigation kits
FY 64	\$ 48,000	305,000 rds ammo, .30 30,000 rds ammo, 12 ga. Photo supplies Electronic parts 300 Handcuffs Motor parts 200,000 rds ammo, .38 special Assorted XS tools, motors and equipment 22 Transformers Crime lab equipment 12 MP projectors
FY 65	\$ 94,000	1 F.F. Signal generator Electric equipment Automotive equipment Films Books Misc. excess property (includes 600 CN gas masks and other protective equipment) 1 Pick-up truck Garage equipment

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FY 65 (Continued)

Telecommunication spare parts  
Training aids/boots  
Industrial equip., jacks, lathes, elect. motors  
Electrical - industrial parts, misc. diodes, etc.  
458 M-1 Carbines  
5 M-1 Carbines w/sniperscope  
1,357,000 Cartridges, cal. 30, ball M-1  
2 Projectors  
3 Typewriters  
Office equipment and supplies  
4 UHF-VHF mobile antennas  
8 Telescope antennas  
1 Tape recorder  
Training aids and office equipment  
Office equipment, duplicating machine  
Commo testing equipment  
12 Antennas  
143 Police training books  
Vehicle spare parts

FY 66 \$149,000.

11 Lots auto spare parts, equipment & tools  
36 FM-5 Transceivers and accessories  
Lot Telecommunications spare parts  
3 Trucks, carryall  
463 Carbines, .30 cal.  
1,357,000 cartridges  
3 Outboard motors  
1 Radiator repair and test tank  
1 Electric power plant  
1,000 Gas masks  
2,000 Cannisters  
3 Lathes  
2 Single posts

FY 67 \$ 51,000

1 Lot spare auto parts and tools  
1 Lot outboard motor spare parts  
1 Generator  
1 Radiator repair and test tank  
10 Lots telecom parts  
100 Gas dispensers  
Film - Training  
Reloading and target equipment  
404 Gas projectiles CS  
500 Gas grenades CS  
Photographic equipment, laboratory

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FY 68	\$ 20,316	177 Revolvers, .38 cal. Reloading and target equipment Misc. Telecommunications accessories 70 Shotguns
FY 69	\$ 1,800	2 Ford Broncos 3 HF-SSB Transceivers 2 Handcrank Generators

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COMMODITY RECAP FOR ECUADOR

<u>ITEM PROVIDED</u>	(*or prior)		<u>YEAR ITEM PROVIDED</u>			<u>1968</u>	<u>1969</u>	<u>CURRENT TOTAL</u>
	<u>1963*</u>	<u>1964</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>			
<b>MOBILE EQUIPMENT</b>								
Passenger Cars								
Jeep Vehicles								
Trucks/Trailers			1	3			2	6
Busses								
Ambulances								
Motorcycles								
Bicycles								
Aircraft								
Aircraft Engines								
Boats								
Outboard Motors				3				3
<b>TELECOM EQUIPMENT</b>								
VHF-FM (Mobile)	44							44
VHF-FM (Base)	19			36				55
VHF-FM (Portable)								
SSB (Mobile)								
SSB (Base)								
SSB (Portable)							3	3
Generator	27		1	1				29
Radio Terminal								
Console								
Megaphone								
Teletype								
Telephone								
Switchboard								
Public Address Sys.								
<b>WEAPONS</b>								
Revolver, .38 cal.	500					177		677
Revolver, .45 Cal.								
Revolver, 9MM								
Carbines	2000		458	463				2921

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<u>ITEM PROVIDED</u>	(*or prior)		<u>YEAR ITEM PROVIDED</u>					<u>CURRENT TOTAL</u>
	<u>1963</u>	<u>1964</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	
<b>WEAPONS (Continued)</b>								
Rifles M-1 & .30 Cal. w/scopes								
Shotguns	150					7		157
SMG								
Mortars								
Reloading Equip.					1	1		2
<b>RIOT EQUIPMENT</b>								
Batons								
Shields								
Gas Masks	2680		600	1000				4280
Gas Guns	40							40
Bullet Proof Vests								
Helmets								
Chemical Mace								
<b>LAB &amp; TNG. EQUIP.</b>								
Crime Lab Units								
Photo Lab Units	1	1				1		3
I.D. Units								
Recorder			1					1
Duplicating Equip.			1					1
Typewriters			3					3
Biroculars								
Handcuffs		300						300
Laminating Press								
<b>OTHER</b>								
Projectors								
Cameras								
Print Dryers								
X-Ray								
Tents								
Parachutes								

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ANNEX D

PUBLIC SAFETY TRAINING

	Completed tng. to date <u>this year</u>	Completed cum. total <u>to date</u>
<i>USA</i>		
<i>Place, type of training</i>		
1. Senior off. Observ. (1 month)	---	11
2. N.W. Univer. (Traf.)	---	2
3. Mich. St. University	---	1
4. Special Audio Visual	---	1
5. Communications (25 weeks)	---	15
6. IPA Senior (13 wks)	---	1
7. IPA General	---	223
8. FBI Academy	---	22
9. Fingerprint course (Henry system)	---	2
10. Terrorist Act. Inv.	<u>2</u>	<u>2</u>
Total	2	280

LOCAL IN-COUNTRY

1. Nat. Pol. Acdm. (3-year course)	32	503
2. Rural Pol. Sch.	---	433
3. Recruit Pol. Sch.	---	60
4. Specialized	328*	3,043
5. Riot Control	---	2,731
6. Weapons	1,081	3,631
7. Disaster relief tng.	30	120
8. Detective tng.	58	228
9. National Int. S. DGI	11	83
10. Mob. Tng. Units (Field Course)	<u>73</u>	<u>221</u>
Total	1,613	11,053

ANNEX E

ECUADOR NATIONAL POLICE PARTICIPANTS

<u>Name</u>	<u>Present Rank</u>	<u>Rank at time of Training</u>	<u>Year &amp; Course</u>	<u>Present Position &amp; Location</u>
TAMAYO M., Eduardo	Prefect Commandant	Prefect Chief	1966 - General Course #24	Chief of Department #1, Personnel (General Staff)
GUERRERA R., Jaime	Prefect Chief	Prefect Chief	1966 - General Course #24	Chief of Urban Services (General Staff)
YEPEZ Zambrano, Arthuro	Prefect Chief	Sub-Prefect	1966 - Senior Gen- eral Course #19-B	Chief of Rural Services (General Staff)
YEPEZ, Gilberto	Prefect Chief	Prefect	1965 - General Course #16	Chief of Department #3, Operations (General Staff)
CARRERA, Alfonso	Prefect Chief	Sub-Prefect	1966 - General Course #24	Chief of Department #4, Services (General Staff)
CARPIO Palacios, Manuel	Prefect Chief	Inspector	1961 - Criminal Investigation	Chief, District II, Riobamba
LUNA Orozco, Jaime	Prefect Chief	Prefect	1965 - General Course #16	Chief, District IV, Guayaquil
DURAN Arcen- tales, Carlos	Prefect Chief	Sub-Prefect	1963 - Administra- tion	4th District Guayas, Chief of Corps
MONTALVO Pacz, Ernesto	Prefect	Unknown	1962 - Internal Security	Chief of Corps, 1st District, Esmeraldas
MIER Panama, Jorge M.	Prefect	Unknown	1962 - Internal Security	Chief of Corps, 1st District, Carchi
ARTEAGA, Vicente	Prefect	Inspector	1961 - General Course #1	Chief of Traffic, 1st District, Pichincha
ARROYO, A., Camilo Anihal	Prefect	Sub-Prefect	1965 - General Course #16	Chief of Corps, 2nd District, Tungurahua
SILVA del Pozo, Estuardo	Prefect	Sub-Prefect	1966 - General Course #24	Chief of Corps, 2nd District, Chimborazo
KAROLYS A., Jaime Arturo	Prefect	Inspector	1965 - General Course #11-B	Chief of Corps, 3rd District, Azua

<u>Name</u>	<u>Present Rank</u>	<u>Rank at Time of Training</u>	<u>Year &amp; Course</u>	<u>Present Position &amp; Location</u>
YACELGA, Julio	Prefect	Sub-Prefect	1966 - General Course #24	Chief of Traffic, 4th District, Guayas
PAZMINO Fierro, Luis	Prefect	Inspector	1963 - Internal Security	Chief of Corps, 4th District, Los Rios
PONCE R., Oswaldo	Sub-Prefect	Inspector	1966 - Senior General Course #16	Director, Development School for Troops.
RIOS Vasquez, Carlos	Sub-Prefect	Inspector	1966 - General Course #23-B	Chief of Criminal Investigation, 1st District, Esmeraldas
NAVAS Navas, Gabriel	Sub-Prefect	Sub-Inspector 1st	1963 - General Course #3	Chief of Rural Services, 1st District, Esmeraldas
MOLINA G., Rafael	Sub-Prefect	Unknown	1962 - Internal Security	Chief of Criminal Investigation, 1st District, Carchi
ZURITA Campos, Byron	Sub-Prefect	Sub-Inspector 1st	1962 - Internal Security	Chief of Corps, 1st District, Imbabura
CARRERA A., Eduardo	Sub-Prefect	Sub-Inspector 1st	1964 - General Course #9-B	Chief of Criminal Investigation, 1st District, Pichincha
CEVALLOS S., Salomon	Sub-Prefect	Inspector	1965 - General Course #17-A	Chief of Rural Services, 1st District, Pichincha
NAVAS Matute, Daniel	Sub-Prefect	Sub-Inspector 1st	1963 - General Course #3	Chief of Corps, 1st District, Napo
YEPEZ Gillen, Edison	Sub-Prefect	Sub-Inspector 2nd	1962 - Internal Security	Chief of Corps, 2nd District, Cotopaxi
GONZALEZ L, Ernesto	Sub-Prefect	Unknown	1965 - General Course #14	Chief of Criminal Investigation, 2nd District, Tungurahua
CHICO Vasquez, Gonzalo	Sub-Prefect	Inspector	1966 - General Course #19	Chief of Criminal Investigation, 2nd District, Chimborazo
TAMAYO Santillan, Jose	Sub-Prefect	Inspector	1964 - General Course #8	Chief of Corps, 2nd District, Bolivar
SEGOVIA O., Jorge	Sub-Prefect	Sub-Inspector 1st	1963 - General Course #2	Chief of Corps, 2nd District, Pastaza
VAYAS V., Luis	Sub-Prefect	Inspector	1965 - General Course #12	Chief of Corps, 3rd District, Canar
LEON Polo, Humberto	Sub-Prefect	Inspector	1967 - General Course #29	Chief of Criminal Investigation, 3rd District, Azuay

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<u>Name</u>	<u>Present Rank</u>	<u>Rank at Time of Training</u>	<u>Year &amp; Course</u>	<u>Present Position &amp; Location</u>
VALDIVIESO, Leonardo	Sub-Prefect	Inspector	1964 - General Course #7-A	Chief of Criminal Investigation, 3rd District, Loja
ZABALA Panama, Ruperto	Sub-Prefect	Unknown	1962 - Internal Security	Chief of Rural Services, 3rd District, Loja
MESIAS, Noel	Sub-Prefect	Inspector	1963 - General Course #3	Chief of Corps, 3rd District, Morona-Santiago
VELASCO Davila, Luis	Sub-Prefect	Sub-Inspector 1st	1962 - Riot Control	Chief of Corps, 3rd District, Zamora-Chinchipe
NUNEZ de la T., Tarquino	Sub-Prefect	Inspector	1962 - Internal Security	Chief of Criminal Investigation, 4th District, Manabi
LARREA Canizares, Leopoldo	Sub-Prefect	Sub-Inspector 1st	1965 - General Course #11-A	Chief of Criminal Investigation, 4th District, Guayas
ESPINOZA Caldeon, Jose	Sub-Prefect	Inspector	1963 - Internal Security	Chief of Rural Services, 4th District, Guayas
ORTIZ Castillo, Bolivar	Sub-Prefect	Unknown	1962 - Internal Security	Chief of Criminal Investigations, 4th District, Los Rios
VILLAMARIN, Alberto	Sub-Prefect	Inspector	1962 - Internal Security	Chief of Rural Services, 4th District, Los Rios
ESPINOZA C., Victor J.	Sub-Prefect	Inspector	1968 - General Course #34	Chief of Traffic, 1st District, Esmeraldas
ARTURO C., Luis	Inspector	Sub-Inspector 2nd	1963 - Internal Security	Chief of Criminal Investigations, 1st District, Imbabura
CASTRO Rcinoso, Milton	Inspector	Sub-Inspector 1st	1968 - General Course #34	Chief of Traffic, 2nd District, Tungurahua
ESPINOZA Olcas, Jose R.	Inspector	Sub-Inspector 2nd	1963 - General Course #2	Chief of Traffic, 2nd District, Chimborazo
PINTO Munoz, Byron	Inspector	Sub-Inspector 1st	1964 - General Course #7-A	Chief of Rural Services, 3rd District, Azuay
TROYA Daza, Maimc	Inspector	Sub-Inspector 1st	1963 - General Course #4	Chief of Traffic, 4th District, Manabi
VINUEZA Grijalva, Nelson T.	Inspector	Sub-Inspector 2nd	1962 - Internal Security	Chief of Traffic, 4th District, Los Rios
CONSTANTE, Gabriel	Sub-Inspector 1st	Sub-Inspector 2nd	1964 - General Course #9-A	Social Welfare Office (General Staff)

<u>Name</u>	<u>Present Rank</u>	<u>Rank at Time of Training</u>	<u>Year &amp; Course</u>	<u>Present Position &amp; Location</u>
ALDAS Cordoba, Luis	Sub-Inspector 1st	Sub-Inspector 2nd	1963 - General Course #3	Chief of Traffic, 1st District, Carchi
VARGAS V., Marcos	Sub-Inspector 1st	Sub-Inspector 2nd	1963 - General Course #4	Chief of Rural Services, 2nd District, Bolivar
CARRERA Chinga, Cesar	Sub-Inspector 1st	Sub-Inspector 2nd	1963 - General Course #4	Chief of Traffic, 3rd District, Canar
CHECA V., Nelson	1st Inspector	1st Inspector	1969 - Senior Course #9	Chief of Operations, General Command
CHAVEZ M., Modesto	1st Inspector	Unknown	1963 - General Course #4	Deputy General Commander, Guayas
ARIAS A., Oswaldo	2nd Inspector	2nd Sub- Inspector	1965 - General Course #13A	Commander, Third District, Yahuarcocha
PAREDES C., Patricio	1st Inspector	2nd Sub- Inspector	1969 - General Course #44	National Customs/Contra- band Police, Quito
MURGUEYTIÓ J., Jaime	1st Sub- Inspector	2nd Sub- Inspector	1964 - General Course #5	First District, Guayas
AGUILERA M., Gregorio	1st Sub- Inspector	2nd Sub- Inspector	1964 - General Course #5	Fourth-District, El Oro
AYALA V., Rodrigo	2nd Sub- Inspector	2nd Sub- Inspector	1969 - General Course #44A	Contraband/Patrol Police, Quito
TORRES A., Jorge	2nd Sub- Inspector	2nd Sub- Inspector	1969 - General Course #44A	Legal Administrator, Customs Police, Quito
JARRIN J., Segundo	2nd Sub- Inspector	2nd Sub- Inspector	1966 - General Course	Assistant in Office of Co- ordinator, General Command
ENRIQUEZ M., Cesar	2nd Sub- Inspector	2nd Sub- Inspector	1964 - General Course	Detachment at Cangahua
AREVALO E., Gilberto	2nd Sub- Inspector	2nd Sub- Inspector	1966 - General Course	First District, Guayas
DROUET F., Carlos	2nd Sub- Inspector	2nd Sub- Inspector	1966 - General Course	Military Customs Police, Guayaquil
MIELES T., Julio	2nd Corporal	Private	1965 - Radio Maintenance	Radio Operator, Military Customs Police, Quito

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ANNEX F

LAND INVASIONS (Including the Camacho Report)

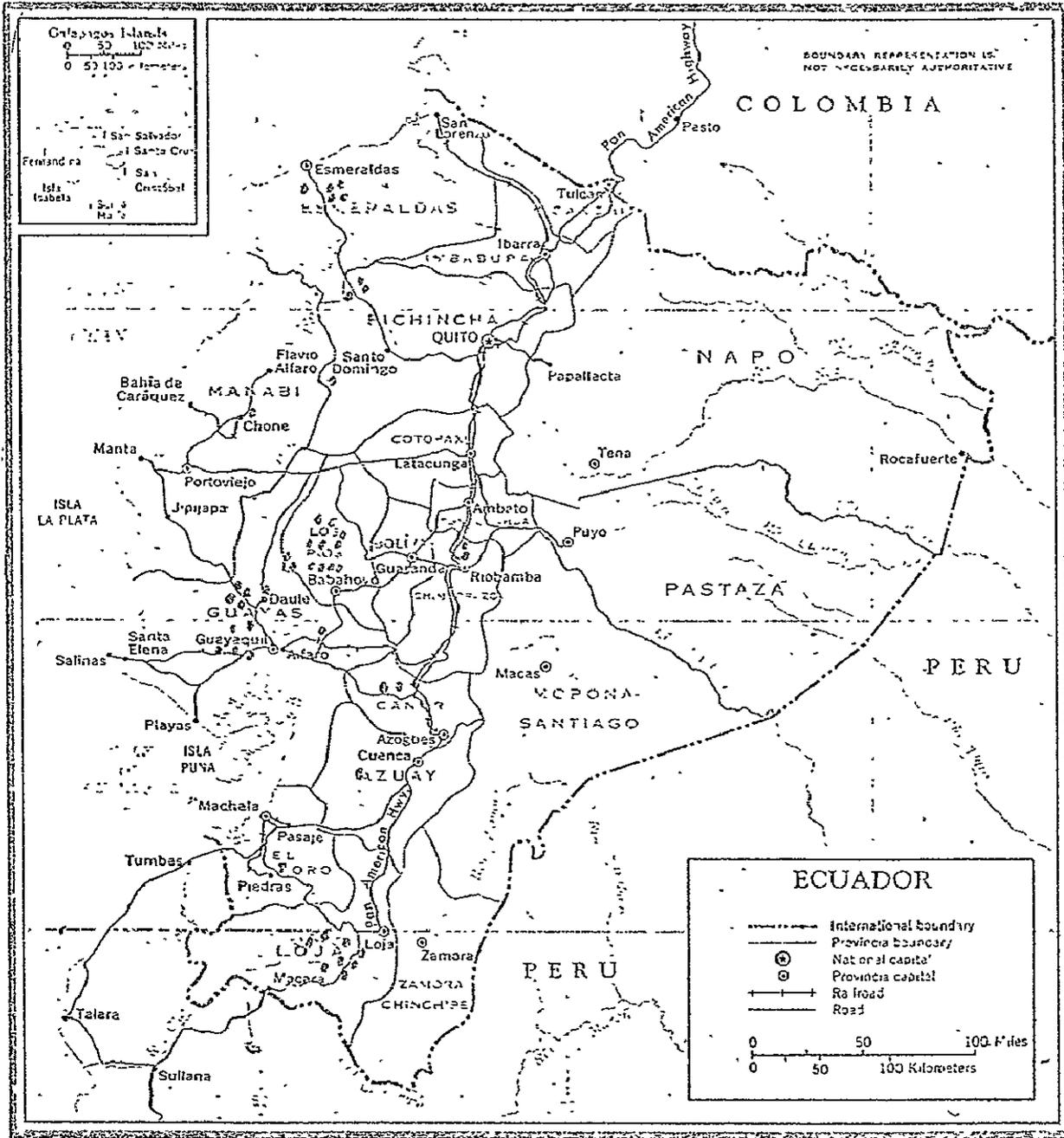
*THE PROBLEM OF LAND INVASIONS*

Land invasions started as early as 1964, but apparently they have become more common since 1968. The first invasion cases were reported in the Province of Guayas on lands owned by one of the wealthiest landowners in Ecuador, two months before the Land Reform Law was issued. At about the same time, workers in large haciendas in the province of Cotopaxi that belonged to the Central University and had been abandoned since many years ago, occupied and took possession of the land. Since that date, a large number of haciendas, both in the Coast and in the Sierra have been invaded, and in most cases the invaders have remained in the land.

When the problem of land invasions in Ecuador is discussed, one must not forget that this is not an homogenous phenomenon, although the end result is the same in all cases, the occupation of tracts of land by people that do not hold legal title over them. First, a distinction should be made between agricultural and suburban land invasions. In the first case, lands are invaded in order to cultivate them, in the second case, lands that are close to urban centers, mainly in the Coast are invaded by people who want to build homes in that land. Another way in which land invasions differ, is in the presence or absence of outside agitators the latter is more common although on occasions people react by themselves, especially when the land belongs to a public institution or it is offered for sale to a non-campeaino buyer.

Urban land invasions have no other justification than the need that people have to have a place to build their homes. Usually, people are aroused by extremists. This was clearly the case with invasions that took place in the lands of haciendas that border with the town of Quevedo in July 1968. At that time, several haciendas were invaded in a few days at the beginning of July. After a few days of occupation, the invaders agreed to pay a low price to landowners, and they remained in the occupied lands, although most of them later sold these lands at higher prices to other people that wanted to build their homes.

The nature of this program does not permit to make a dent in urban land invasions, but the program will have a definite impact on the problem of agricultural land invasions.



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● LAND INVASION, REQUIRING POLICE ACTION. INDICATES PERIOD FROM 1/1/67 THROUGH 9/30/68.

Agricultural land invasion started as it was pointed out in 1964, when the necessity of restructuring the land tenure system in the country started to be widely discussed at a political and technical level. At that time, one of the arguments favoring land reform was that ownership of land was not justified if the soil was not cultivated, and thus it was not being used for the good. The concept of the social function of land ownership was the main argument of pre-land reform elements in the country. At that time, leftist leaders started traveling in the country side indicating to campesines that they had the right to take over hacienda lands.<sup>1</sup> These leftist leaders found a favorable environment in abandoned haciendas and the first two cases mentioned, one in the Coast and one in the Sierra, reflect the workings of this process.

Once the land reform law was issued and while publicity was made of the fact that campesines were going to receive land legally, land invasions lost momentum. In the first year of operation of IERAC, the only cases of invasions that were faced by the institution were the ones that have already taken place before the law was issued. The land reform law, however, created expectations among campesines, and the expectation proved to be false in many cases. When time passed, and IERAC was unable to fulfill its early promises, agricultural land invasions became more common and constituted the answer of campesines to the lack of action by the governmental institutions that were supposed to preside over the change of structures in the country.

At this point, it is not relevant to discuss whether IERAC was unable to fulfill the expectations of campesines because of ineptitude, lack of funds or lack of political support. It is systematic however that in places where IERAC action was more successful, such as in the areas where hussipunges were redistributed and landowners abide by the law, land invasions are few or non-existent. This is the case of most of the Sierra with the exception of Loja, Chimborazo, Canor and some isolated areas in other provinces, where the were not given access to land, or where hussipungues were given nominal title to the land but their status has remained practically unchanged. The problem of land invasions has centered in the Guayas River Basin, where campesines have not received any benefit from land reform, and where they are subject to systems of exploitation that are described in the main text of the loan paper. There is no point in denying that most land invasions in the Guayas River Basin and elsewhere have happened because of political agitation from the left. However, leftist propaganda has only succeeded where expectations have not been fulfilled even on a minimum percentage. Agitation has also been successful in the case of haciendas owned by public institutions where campesines know that a strong resistance to occupation is not likely. In August 1968, haciendas that belong to "Asistencis Publica" in the province of Azuay were occupied by campesines.

<sup>1</sup>It is known for example that invasions to University properties in Cotopaxi were promoted by a leftist that at present occupies a position in IERAC Executive Council.

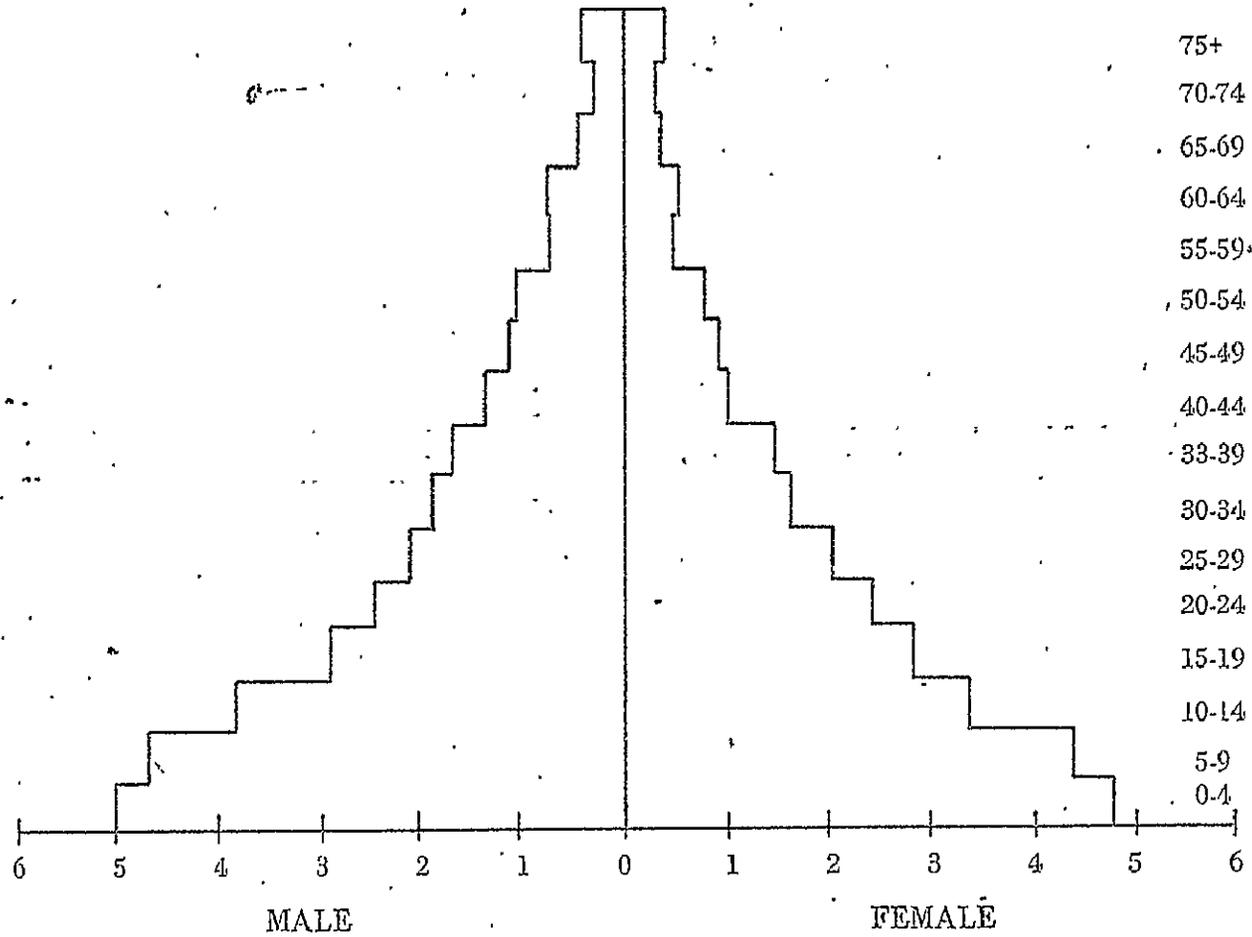
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Taking into consideration that in the Guayas River Basin the Land Reform Program has not provided even a partial solution, and that it is in this area where land invasions are more common, it is hoped that the program will make a dent on the problem of land invasions. The program, however, does not have as its aim to legalize land invasions of people that are not willing to pay for land. The main objective is to provide an alternative for groups of campesines that are willing to pay for the land but are not able to do so. Interviews held in the field tend to indicate that the majority of campesines prefer to obtain their land by legal means, and are willing to revert to invasions only when there are no other alternatives. It is to this type of average campesino that the program is going to help. There are however, a few cases where campesines have been subject to intensive leftist propaganda, and the concept that land belongs to them and they do not owe to anybody in common place. In these instances, the program will not get involved at all, and the government will have to derive other solutions. The idea is, however, to help in the creation of conditions that will tend to isolate the extremists by offering a better solution.

The importance that land invasions have acquired in recent months, was highlighted by police report at a national level. Incomplete records kept by USAID from October 22 to May 15, show that in 80 daily police reports, 39 had one or several reports on land invasions.

ANNEX G

POPULATION DISTRIBUTION BY AGE  
(1968 Estimate of 5,800,000)



Population of ages 19 years and under is estimated at 3,600,000 or 54.6% of total population.

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ANNEX H

PERSONS CONTACTED

*EMBASSY*

The Hon. Edson O. Sessions, Ambassador, U.S. Embassy, Quito, Ecuador  
Mr. Samuel D. Eaton, Counselor of Embassy (DCM) and Chargé d'Affaires  
Mr. Robert T. Follestad, POL, (Acting Deputy Chief of Mission)  
Mr. John S. Morgan, Station Chief, CAS  
Col. Gerald M. Clugston, Commander, USMILGP  
Col. Harold J. Jacobs, Defense Attaché  
Lt. Col. Edwin E. Santos, USMILGP Intelligence Officer

*USAID*

Mr. Robert J. Minges, Mission Director  
Mr. Allen D. Gordon, Deputy Director  
Mr. Richard J. Greene, Program Officer  
Dr. John S. Horning, Population Officer

*PUBLIC SAFETY DIVISION*

Mr. John H. Doney, Chief Public Safety Officer  
Mr. Carlos Lopez, Area Advisor, Quito  
Mr. Andrew Gussie, Training Advisor  
Mr. Bryan Quick, Area Advisor, Guayaquil (departed Thursday, 9/11/69)  
Mr. Richard Lewis, Investigations Advisor  
Mr. Mauricio Moncayo, Senior Administrative Assistant  
Mr. Segundo Almeida, Communications Technician  
Mr. Emilio Guarderas, Automotive Technician  
Lieutenant Patricio Jarrin, Liaison Officer, Customs Police  
Lieutenant Luis Naranjo, Liaison Officer, National Police  
Olmedo Suarez, Liaison Officer, National Police  
Mrs. Elsa Pesantes, Administrative Assistant  
Miss Giocanda Faini, Secretary

## MINISTRY OF GOVERNMENT OF ECUADOR

Hon. Galo *Martinez* Merchan, Minister of Government  
 Dr. Luis *Cornejo* Menacho, SubSecretary of Government

## NATIONAL POLICE OF ECUADOR

Sr. Prefect Commander Washington *Martinez* Torres, Commander General

## GENERAL STAFF OF COMMANDER GENERAL

Sr. Prefect Commander, Carlos Donoso, Deputy Commander General  
 Sr. Prefect Commander, Eduardo Tamayo M., Chief, Personnel Dept.  
 Sr. Prefect Chief, Jaime Guerrero, Director, Urban Service  
 Sr. Prefect Chief, Arturo Yépez Z., Director, Rural Service  
 Sr. Prefect Chief, Gilberto Yépez A., Chief, Intelligence Service  
 Sr. Prefect Chief, José M. de la Vega, Director, Traffic Service  
 Sr. Prefect Chief, Frederico Armas R., Director, Criminal Investigation Services  
 Sr. Prefect, Julio Salazar Vera, Auditor

## INSTITUTE OF TRAINING

Sr. Prefect Commander, Hugo Ruales Lara, Director General  
 Sr. Inspector, Washington Yanez, Instructor  
 Sr. SubInspector-1st., Marco Olmedo, Instructor  
 Sr. SubInspector-1st., Oswaldo Perez, Instructor

## WORKSHOPS AT EL BATAN

Sr. SubInspector-1st., Carlos Mera, Chief, Radio Section  
 Sr. SubInspector-2nd., Frederico Mcra, Chief, Mechanical Section  
 Sr. SubInspector-1st., Nelson Brito, Chief, Armory and Arms Section

## QUITO - CORPS #1

Sr. Prefect-Chief, Miguel Vasquez, Chief, Pinchincha Province  
 Sr. Prefect, Luis Calvachi, Chief, Urban Services  
 Sr. Subprefect, Jaime Pareja, Third Chief, Pinchincha Prov.

*DETACHMENT-SANTO DOMINGO COLORADOS*

Sr. Sub-Prefect, Salomon Cevallos, Chief of Detachment  
Sr. Inspector, Fausto Vasconez N., Chief, Investigations Section  
Sr. Sub-Inspector, Jose Cano, Chief, Traffic Section

*DETACHMENT - EL CARMEN*

Sr. Inspector, Rafael Guerra-Ocaña, Chief, Detachment

*DETACHMENT - CHONE*

Sr. Sub-Prefect, Adriano Davila, Chief, Detachment

*PORTOVIEJO (Province?)*

Sr. Prefect, Luis Salvador Valencia, Chief of Province  
Sr. Sub-Prefect, Tarquino Nuñez de la Torre - Chief Investigations  
Sr. Inspector, Jaime Troya D. - Chief Traffic Section

*DETACHMENT - JIPIJAPA*

Sr. SubInspector, Nelson. Quelal - Chief-Detachment

*DETACHMENT-BAHIADE CARAQUEZ*

Sr. Police Agent, Jorge Ceron, Jailer, Municipal Jail  
Sr. Police Agent, Rafael Obando, Chief of Detachment

*GUAYAQUIL REGIMENT*

Sr. Prefect Chief, Jaime Luna Castro, District Chief  
Sr. Prefect Chief, Jaime Duran Arcentales, Chief of Province  
Sr. Inspector, Justo Herrera, Chief, Investigations Section  
Sr. Prefect, Julio C. Yaselga, Chief, Traffic Section  
Sr. Sub-Inspector, Ist, Ruben Fonseca, Chief, Radio Section  
Sr. Sub Inspector, 1st, Galo Acosta, Chief, Mechanical Section

*LAS PENAS SCHOOL*

The Staff

*BABAHOYO*

Sr. Sub-Prefect, Bolivar Ortiz C. — Chief, Investigations Section  
Sr. Inspector, Nelson Gyalva — Chief, Traffic Section  
Sr. Sub-Prefect, Alberto Villariarin, Chief, Rural Section

*MILAGRO*

Sr. Sub Prefect, Jose M. Espinosa C., Chief, Rural Section

*MACHALA*

Sr. Prefect, Guillermo Davela, Chief, Province  
Sr. Sub Prefect, Milton Cordova, Chief, Investigations Section  
Sr. Inspector, Hugo Rocha, Chief, Traffic Section

*HUAQUILLAS*

Sr. SubPrefect, Rafael Rivadeneira, Chief, Rural Services and Frontier

*CUENCA*

Sr. Prefect Chief, Jorge Chavez Estrella, Chief of District  
Sr. Prefect, Arturo Karolys, Chief of Province  
Sr. Sub-Prefect, Humberto Leon Polo, Chief, Investigations Section  
Sr. Inspector, Maria Vinueza, Chief, Traffic Section  
Sr. SubInspector, Ist, Jose M. Vallejo Pazo, Chief, Mechanical Section

*AZOGUES*

Sr. Prefect Chief, Jorge Chavez Estrella, Chief of District  
Sr. SubPrefect, Luis Bayas V., Chief of Province  
Sr. Inspector, Jorge Padilla, Chief, Investigations Section  
Sr. Sub-Inspector, Cesar Carrera, Chief, Traffic Section

*RIOBAMBA*

Sr. Prefect Chief, Manuel Carpio, Chief of District  
 Sr. Prefect, Estuardo Silva, Chief of Province  
 Sr. Sub-Prefect, Gonzalo Chico, Chief, Investigations Section  
 Sr. Inspector, Jose Espenosa Oleas, Chief, Traffic Section

*AMBATO*

Sr. Prefect, Anibal Arroya, Chief of Province  
 Sr. Sub-Prefect, Ernesto Gonzalez L., Chief, Investigations Section  
 Sr. Inspector, Milton Castro R., Chief, Traffic Section  
 Sr. Inspector, Vinicio Vasconez, Chief, Rural Services

*LATACUNGA*

Sr. Sub-Prefect, Edison Yépez G., Chief of Province  
 Sr. Inspector, Wilson Quevedo, Chief, Investigations Section  
 Sr. Sub-Inspector, 1st, Ernesto Saa S., Chief, Traffic Section  
 Sr. Sub-Inspector, 1st, Jaime Paredes, Chief, Rural Services

*MINISTRY OF FINANCE*

Minister of Finance, Sr. Benito Ottati  
 Treasurer of the Republic, Sr. Marcelo Saenz

*NATIONAL CUSTOMS POLICE*

Sr. Commander General, Ramos Moral, Jorge, Commander-General  
 Sr. Inspector-1st, Chavez Manso, Modesto, Chief of Operations  
 Sr. Inspector-2nd, Coronel Zimencz, Marco, Pay Master  
 Sr. Inspector-2nd, Murillo Leon, José, Chief of Personnel Dept.  
 Sr. Inspector-2nd, Villavicencio Alipio, Tomás, Chief of Logistics and Supplies  
 Sr. Inspector-2nd, Carrera Lopez, Ernesto, Chief of Information  
 Sr. Inspector-2nd, Merizalde Vivanco, Marco (Dr.), Law Advisor  
 Sr. Subinspector-1st, Espinoza Durán, Raúl, Assistant, Personnel  
 Sr. Subinspector-1st, Jarrín Jaramillo, Patricio, Adjutant  
 Sr. Subinspector-2nd, Guerrero Celi, Wilson, Chief of Intelligence  
 Sr. Subinspector-2nd, Cahueñas Garzón, Miguel, Assistant, Operations  
 Sr. Subinspector-2nd, Yépez Vencgas, Tito, Assistant, Paymaster  
 Sr. Subinspector-2nd, Vásconez Jauregui, Carlos, Assistant, Auto Maintenance

*NATIONAL CUSTOMS POLICE (Continued)*

Sr. Subinspector-2nd, Garcia Sánchez, Emma, Secretary

Sr. Subinspector-1st, Maldonado Cevallos, Segundo, Chief, Auto Maintenance

NOTE: The above and preceding pages of Ecuadorian names represent only the principles contacted in each location and consist of about 30% of the officers and men actually met.

## ANNEX I

## ORGANIC LAW OF THE NATIONAL CIVIL POLICE

GENERAL HEADQUARTERS  
NATIONAL CIVILIAN POLICE

DEPARTMENT OF OPERATIONS  
NO. 3

Official Record Entry No. 387 - December 3, 1964.

## DECREE NO. 2553

The Honorable Military Junta of the Government in discharge of the attributions with which it has been legally invested and at the request of the Minister of Government and Police:

## DECREES:

Art. No. 1.—To pass the following

## NATIONAL POLICE ORGANIC LAWS

## TITLE NO. 1

## OBJECTIVE OF THE LAWS

Art. No. 2.—The present Laws determine the organizational structure and functions of the National Civilian Police as well as the duties and authority of its various Departments and Offices.

## TITLE NO. 2

## THE FUNCTIONS OF THE NATIONAL CIVILIAN POLICE

Art. No. 3.—The National Civilian Police is an Organization of the State at the service of the people and is organized in a centralized unitary and semi-military way. Its responsibilities are that of maintaining the peace and social order of the Republic.

\*Quito, July the 23rd 1968

Art. No. 4.—The duties of the National Civilian Police are:

- a) Maintenance of the public peace and order.
- b) The protection of the life, property and rights of the individuals.
- c) Preservation of public morals.
- d) Prevention of crimes.
- e) Investigation and solving of criminal acts.
- f) Apprehension and custody of criminals.
- g) Enforcement of the laws emanating from the lawful authorities and in relation with the duties mentioned above.
- h) To act as an auxiliary force in the military defense of the country alongside the Armed Forces.
- i) To comply with the responsibilities acquired because of its affiliation with INTERPOL and
- j) All other duties assigned to it by the Law.

### TITLE NO. III

#### THE MAKEUP OF THE NATIONAL CIVILIAN POLICE

Art. No. 5.—In order to accomplish the objectives established in the previous Article, the National Civilian Police is made up of the following Divisions or Branches with jurisdiction all over the country:

- a) Urban Patrol and Prison guarding
- b) Rural patrol
- c) Traffic
- d) Criminal Investigation and
- e) All others created according to needs.

Art. No. 6.—The National Civilian Police personnel is classed as follows:

- a) Commissioned Officers
- b) Officer Candidates
- c) Patrolmen
- d) Civilian employees
- e) Civilian employees under contract (Personnel Rules and Regulations).

Art. No. 7.—At the Request of the Ministry of Government, and through prior petition from the Commander General each year on the second fortnight of May, the Executive Branch of the Government shall authorize the strength for the National Civilian Police which should be in force beginning the month of January of the next year, and based on the budget requested which should be approved by the pertinent Branch of Government.

The authorized strength should be determined by planning and in accordance with the organic and technical development of the force, and, under no circumstances should be less than the one authorized the previous year or changed within periods of six months.

In determining the authorized strength, the following considerations shall be taken into consideration:

- a) The area assigned to each Division
- b) The extent and ease of access to highways
- c) Population density
- d) Crime incidence for the various categories
- e) The need to maintain peace and order in each jurisdiction, and;
- f) Other needs and requirements pertinent to the Police Activity.

Without neglecting the above considerations, and when feasible, the various Police Branches shall adopt the Organic Structure of similar Military Units.

Art. No. 8.—The members of the National Civilian Police shall be recruited, trained, promoted, and discharged in accordance with the Organization's personnel Rules and Regulations.

#### TITLE NO. IV

#### COMMAND

Art. No. 9.—In times of peace, the Ministry of Government shall hold command of the National Civilian Police in the discharge of its civilian duties. In emergency cases, the Command of the National Civilian Police, considered as an auxiliary army force, shall be transferred to the Armed Forces General Staff.

Art. No. 10.—The members of the National Civilian Police are under the military discipline system as established by the Constitution and the pertinent Laws.

Art. No. 11.—The authority and responsibilities of the National Civilian Police and its members when discharging their civilian duties shall be determined by the Regulations governing the pertinent Branches, which the Executive Branch shall enact in accordance with the laws of the Republic regarding both the Police and Judiciary agents.

In discharging its duties as an auxiliary army force the National Civilian Police shall be under the same statutes in force for the armed forces.

Art. No. 12.—When functioning as an auxiliary army force, (emergency cases) the various police ranks shall be comparable to those of the military for command.

purposes only, and starting from the rank of Cadet on up (Officer candidate). When in time of peace, the use of military ranks is forbidden.

## TITLE NO. V

## THE ORGANIZATIONAL STRUCTURE

Art. No. 13.—The National Civilian Police shall be (is) organized in the following manner:

- a) The higher command.
- b) Adjunct organizations.
- c) Subordinates organizations.

Art. No. 14.—The Higher Command of the National Civilian Police is made up of:

- a) The Ministry of Government
- b) General Headquarters and its General Staff.

Art. No. 15.—The Adjunct Organizations are:

- 1. The Supreme and Higher Courts of Justice of National Civilian Police.
- 2. The Higher Council
- 3. The Performance Evaluation Board
- 4. Retirement and Compensation Board (Note: Its responsibilities are multiple and varied).
- 5. Central Welfare Office.
- 6. Central Public Relations Office.

Art. No. 16.—The Subordinate Organizations are:

- a) The Police National Institute
- b) District Commands
- c) Provincial Commands
- d) Provincial Headquarters for Divisions or Branches
- e) Detachments
- f) Posts and
- g) Logistic and Administrative Services.

TITLE NO. VI

THE ORGANIZATIONAL STRUCTURE, DUTIES AND  
AUTHORITY OF THE HIGHER COMMAND

SECTION I

THE 'MINISTRY OF GOVERNMENT'

Art. No. 17.—For the purposes of this Law, the Ministry of Government is made up of:

- a) The minister of Government
- b) The Under Secretary of Government and
- c) The Chief of Police

Art. No. 18.—The duties and responsibilities and authority of the Minister of Government are:

- a) To comply with and obey and enforce the Rules and Regulations governing the National Civilian Police.
- b) To submit to the consideration of the Government of the Republic a statement with the needs of the National Civilian Police so that it can regularly fulfill its objectives and achieve normal development and improvement.
- c) To protect the dignity and prestige of the Organization, and foster its state of readiness and intellectual, and material betterment.
- d) To use disciplinary powers and assign Commissioned Officers of the National Civilian Police at the request of the Commander General.
- e) To request and rightly apportion through the proper administrative channels the funds voted for the National Civilian Police.
- f) To submit to the Executive Branch for its approval, the proposed annual budget of the National Civilian Police.

Art. No. 19.—The Under Secretary duties include that of cooperating in general terms and directly with the Minister of Government, in all administrative matters pertaining to National Civilian Police.

Art. No. 20.—It is the duty of the Chief of Police to handle all matters regarding Police management, in accordance with Administrative Statutes.

## SECTION II

## GENERAL HEADQUARTERS

Art. No. 21.—General Headquarters shall be in Command and have the Administration of the National Civilian Police and shall be responsible to the Ministry of Government for its Organizational structure, state of readiness, discipline and assignment of the various units and Branches. It shall also be responsible for all administrative measures taken and use of the funds set aside for its operations.

Art. No. 22.—General Headquarters is made up of:

- a) The Commander General
- b) The Deputy Commander General
- c) The Director Generals of Divisions or Branches.
- d) The Heads of Departments.

Art. No. 23.—The Commander General of the National Civil Police shall be appointed by the President of the Republic from amongst the various Prefect Commanders in active status, and at the request of the Ministry of Government. His duties and responsibilities are:

- a) To obey and enforce the Rules and Regulations governing the Police force.
- b) To plan the annual strength for the National Civilian Police
- c) To prepare the budget for the National Police
- d) To exert leadership, control and command of the organization all over the country, and
- e) To assign troopers and grant them promotions.

Art. No. 24.—The Deputy Commander General shall be appointed by the Ministry of Government from amongst the Prefect Commanders in active status. Their duties and responsibilities are:

- a) To act on behalf of the Commander General in his absence
- b) To coordinate the task of the various General Directorates and Departments and
- c) To assist the Commander General in all police matters.

Art. No. 25.—Branch Director Generals shall hold the rank of Generals.

They have the responsibility of cooperating in the guidance and technical cooperation of the various Police Services.

Art. No. 26.—The Heads of Departments shall hold the rank of General. Their duties are those of assisting in guiding and administrating the National Civilian Police

and all services related to it, in accordance with the directives emanating from the Commander General.

Art. No. 27.—The General Staff shall be made up of the Deputy General Commander, Branch Director Generals and the Heads of Departments.

Their duties are:

- a) To plan for the future development and improvement of the organization.
- b) To prepare a general operations plan for the National Civilian Police and to perform the necessary basic studies.
- c) To enforce the Laws and Regulations of the Organization and its reforms
- d) To plan for the annual National Civilian Police strength
- e) To prepare the annual budget.
- f) To formulate a policy to coordinate the functioning of the various police branches, and
- g) To act as advisors to the Commander General.

The position of Secretary shall be filled by the Deputy Chief for Operations.

## TITLE VII

### ORGANIZATIONAL STRUCTURE, DUTIES AND RESPONSIBILITIES OF ADJUNCT ORGANIZATIONS

#### SECTION I

##### 1. About Internal Police Courts

Art. No. 28.—The Supreme and Higher National Civilian Police Courts shall be made up, as established by the Organic Law, of the Judiciary (NOTE: (of the translator): Some paragraphs are missing here in the original, the text continues as follows.) and also by two Generals or Senior Officers of the National Civilian Police in active or reserve status.

Art. No. 29.—The duties and responsibilities of the Supreme and Higher Courts of the National Civilian Police are included in the pertinent Laws. They also act in an advisory capacity for the Ministry of Government and the Higher Council of the National Civilian Police.

Art. No. 30.—Those police officials who become members of the Supreme and Higher Courts and perform as a Minister of same shall be appointed by the Ministry of Government, at the request of the Commander General.

When seeing cases, the members of the Courts shall receive the fees established by the pertinent Ministry.

2. About the Higher Council.

Art. No. 31.—The Higher Council shall be made up on the Deputy Commander General, who shall preside over it, and the six Generals or Senior Officers if the line services in active status, having the highest rank and seniority in the city of Quito police post (garrison). In their absence they shall be substituted by those with the next highest rank, who again, shall be appointed as substitute members.

The General Auditor of the Organization shall advise the Higher Council but cannot vote.

The Deputy Chief of the Department of Personnel shall perform as Secretary, but cannot vote.

Art. No. 32.—The duties of the Higher Council are:

- a) To see to it that the Rules and Regulations governing the National Civilian Police are enforced.
- b) To protect the dignity and prestige of the organization.
- c) To foster the moral, cultural and material betterment of the members of the National Civilian Police.
- d) To request the appointment of those Police officials who shall become the Ministers of the Supreme and Higher Courts.
- e) To advise the Ministry of Government in matters related to the professional status of the Police Officers.
- f) To guarantee the professional rights of Commissioned Officers in accordance with personnel statutes.
- g) To select Commissioned Officers to be promoted
- h) To select Commissioned Officers to be discharged and to enforce personnel statutes in general, and
- i) To set up the regulations which shall govern its own functioning and to submit them to the Ministry of Government for their approval.

Art. No. 33.—The rulings of the Higher Council shall be binding for the members of the National Civilian Police and shall be the result of an absolute majority of votes. Rulings may be appealed only once if the interested party submits the appeal within 30 days of the date of the notice.

SECOND SECTION

1. About the performance evaluation and retirement Board.

Art. No. 34.—The performance evaluation and retirement shall be made up of:

- a) The Deputy Commander General, who shall preside over it,
- b) A representative of the Ministry of Government,
- c) The Head of the Department of Personnel,
- d) The General Auditor of the National Civilian Police,
- e) A representative of the General Comptroller's office, The Secretary of the Evaluation Board shall be the Secretary of the Comptroller Office and the prosecutor shall be the Attorney General for the National Police.

Art. No. 35.—The duties of the performance evaluations Board are:

- a) To grant retirement pensions in accordance with the pertinent statutes in force for the National Civilian Police.
- b) To enforce all decrees relative to increases in and suspensions of pensions and life annuities.
- c) To ascertain the rights to indemnization claims and special bonuses as set up in the Rules and Regulations.
- d) All others set up by Law.

Art. No. 36.—The performance Evaluation Board cannot meet unless all members are present. Its rulings shall be the result of an absolute majority of votes of its members.

Art. No. 37.—The members of this board shall be moral, legal, and monetary liable for their rulings.

## 2. About the Compensation Board

Art. No. 38.—The police Compensation Board shall be made up of:

- a) The Head of the Department of Personnel
- b) The auditor General
- c) A representative of the Nation's General Comptroller's Office
- d) A High Ranking officer (General)
- e) A Junior Commissioned Officer
- f) A non commissioned Officer
- g) A patrolman.

The Board shall be presided over by the member with the highest rank and seniority.

The Board shall appoint its own Secretary.

The members of this Board shall be morally, legally, and monetarily liable for their rulings.

Art. No. 39.—The members of the Compensation Board who represent the Commissioned Officers and patrolmen, respectively, shall be elected each year in accordance with the pertinent Rules and Regulations.

### 3. About the Central Welfare Office

Art. No. 40.—The Central Welfare Office of the National Civilian Police shall plan and implement all necessary steps to improve the standard of living of the members both in active and reserve status, and that of their dependents. Its organizational structure shall be established by the pertinent regulations.

Art. No. 41.—General Headquarters shall be responsible for the administration and control of this service, whose objectives and detailed duties shall be spelled out in the pertinent regulations.

### 4. About Central Public Relations Office.

Art. No. 42.—The Central Public Relations Office and its branches in the District and Provincial Commands shall see to it that the police organization maintain good relations with other Government Agencies, private organizations and with the general public. It shall act as the police information center for the mass communications media, for which purpose it shall issue bulletins, publish magazines, etc. Its organizational structure shall result from the pertinent regulations.

## TITLE VIII

### THE POLICE NATIONAL INSTITUTE

Art. No. 43.—The preparation and professional expertise of the members of the National Civilian Police shall take place at:

- a) The School for Senior Officers
- b) The School for Specialization and Expertise Perfecting of Junior Officers.
- c) The School for Officer Candidates
- d) The School for the Grading Expertise and Specialization of patrolment
- e) The School for the training of recruits (patrolmen).

Art. No. 44.—The School for Senior Officers has as its objective to train them for positions of Command in the various Police Units and as advisors in conducting the affairs of the organization.

Art. No. 45.—The School for the perfecting and specializing of Junior Officers shall have as its objective to train them in the efficient discharge of the duties pertinent to their hierarchy and train them to fill the positions in the next higher ranks.

Art. No. 46.—The School for the training of Officer Candidates has as its objective to train them to fill the positions corresponding to the rank of Second Sub-Inspector. This School shall be the only source of the recruiting of Commissioned Officers.

Art. No. 47.—The school for the perfecting and specialization of patrolment has as its objective to train them to carry out the duties that correspond to their rank and to prepare them to fill the positions which correspond to their next higher rank.

Art. No. 48.—The Schools for the training of recruits has as its objective that of preparing them to carry out the duties pertinent to their rank. It shall be the only recruitment source available.

Art. No. 49.—The Regulations and Curriculae pertaining to the training and specialization schools of the National Civilian Police shall be developed by the General Staff with the approval of the Commander General.

#### TITLE IX

### POLICE AREA JURISDICTIONS AND ASSIGNING OF JURISDICTIONS

#### SECTION I

#### DISTRICTS, PROVINCIAL COMMANDS AND OTHERS

Art. No. 50.—The national territory, as considered for police purposes shall be divided into geographical areas which shall become the seat of a District Command. The number of Districts shall be determined by the Ministry of Government at the request of General Headquarters.

Art. No. 51.—The position of District Commanders shall be filled by a General or other High Ranking Officer. In the chain of command they shall serve on the branch line and command steps between General Headquarters and Provincial Commands. Their responsibilities include that of directing, controlling and commanding the various Police Services in their jurisdiction. They shall see to it that all orders emanating from Headquarters are enforced, whether they have to do with the assigning of the various police forces or services, or with the technical aspect of it. They also shall answer for the efficiency of the Police Services in the Provinces under their command for which they shall issue the orders or directives which they deem necessary.

Art. No. 52.—The Provincial Commands are made up of:

- a) The Provincial Commander.
- b) The logistic services and
- c) The Provincial Head of Services
- d) The special police posts and detachments.

Art. No. 53.—The Provincial Commanders have the same duties and responsibilities as the District Commanders at their respective levels. They are responsible for the proper coordination of all services and Police Branches in their jurisdiction.

Art. No. 54.—Provincial Headquarters for Police Services or Branches encompass:

- a) Headquarters itself and the urban Police Department
- b) Headquarters and the Rural Police Squad, as assigned to the various cantons (legions) and rural parishes
- c) The Provincial Headquarters for the Traffic Division and its branches and
- d) The Provincial Headquarters for the Criminal Investigation Division

Art. No. 55.—The Provincial Logistic Services are:

- a) Quartermaster Warehouse
- b) Health
- c) Veterinary
- d) Transportation
- e) Communications and
- f) All others to be created

Art. No. 56.—The Police detachments and special posts are made up of the various services created by General Headquarters at the request of other official agencies or private organizations, with the specific understanding that the latter are to finance them in accordance to an agreement that both parties shall sign to that effect, and as regulated by the Ministry of Government.

The detachments and Special Posts and their personnel shall be entirely under the Rules and Regulations governing the Police Organization.

Art. No. 57.—The Provincial Heads of the various police services and branches are responsible to the Provincial Commander for the services and performances of the police personnel in their respective jurisdictions. They shall be responsible to Provincial Headquarters in administrative matters and directly responsible to General Headquarters Divisions in technical matters.

Art. No. 58.—Detachments are those police forces assigned to cantons (except those assigned to Provincial seats and posts) and to rural parishes.

Art. No. 59.—The Heads of Detachments and Posts shall be responsible to the Divisional Provincial Headquarters in all administrative and command matters, and to the other Divisional Provincial Headquarters in all technical matters. Their responsibility include that of supervising all police services and checking on their efficiency.

Art. No. 60.—The organizational structure and detailed functioning of the Districts, Provincial Headquarters, Divisional Provincial Headquarters, Sections and other units of such shall be established in the regulations which to that effect shall set up General Staff with the approval of the Commander General.

## SECTION II

TERRITORIAL JURISDICTIONS IN TIME OF WAR AND  
OTHER EMERGENCIES

Art. No. 61.—In times of war or emergencies the National Civilian Police shall be governed by what has been established in the Organic Law for the Armed Forces.

## TITLE X

## GENERAL PROVISIONS

Art. No. 62.—The National Civilian Police members are professionals and they cannot be removed from office except as established by personnel rules and regulations or by the courts.

Art. No. 63.—The National Civilian Police shall be funded by:

- a) The budget approved by the Government.
- b) The budgets for special Police Services
- c) The profit derived from the assets and patrimonies it acquires and whose administration shall be done by the Treasury Department, and
- d) Donations and legacies it receives from either persons or organizations whether domestic or foreign.

Art. No. 64.—No commercial transaction can be made with the National Civilian Police unless it is done through bidding, as prescribed in the Treasury's Organic Law.

In these instances, the National Civilian Police shall be represented by the Board accepting bids on behalf of the National Police as established in the Treasury's Organic Law and by the Heads of the Department of Services of General Headquarters.

Art. No. 65.—The members of the National Civilian Police who commit offenses when acting in that capacity and in the performance of their specific duties shall be tried in accordance with the Penal code of the National Civilian Police. When acting as member of the Auxiliary Armed Force, they shall be under the Penal Code of the Military.

Art. No. 66.—The National Police Organic Law codified and enacted on the 11th of November of 1959 is hereby revoked as are all others which may oppose the present one which shall be in force when entered in the Official Record.

## TITLE XI

## TEMPORARY PROVISIONS

Art. No. 67.—As long as a Retirement Act for the National Civilian Police is not enacted, the Retirement Act for the Armed Forces shall be applicable. To this effect the rates established in Article No. 12 of that Act shall be applied.

Art. No. 68.—The Minister Secretary of State Government and Police shall be in charge of executing the present decree.

Enacted at the National Palace in Quito, the 9th of November of 1964.

Signed)Ramon Castre Jjen, Rear Admiral — Signed)Luis Cabrera Sevilla, Major General — Signed)Marios Gandara Enriquez, Major General — Signed)Guillermo Frcile Pesse, Colonel of E.M. of Ave. — Signed)The Minister of Government and Police — Major General Augustin Mora Bewen — It is a true copy Signed)The Under Secretary of Government.

Note: The changes introduced in the present law have been taken from entry No. 152 of the Official Record published on the 1st of November of 1966 which has to do with Decree No. 1417 dated 28th of October of the same year.

## ANNEX J

STATUTES GOVERNING THE RETIREMENT AND  
COMPENSATION COOPERATIVE CODIFICATIONGENERAL HEADQUARTERS  
NATIONAL CIVILIAN POLICEDEPARTMENT OF OPERATIONS  
NO. 3\*NATIONAL CIVILIAN POLICE RETIREMENT AND  
COOPERATIVE STATUTES  
(CODIFICATION)

Art. No. 1.—Beginning with the enactment of the present Decree, the National Civilian Police Compensation Cooperative shall be governed by the present statutes.

Art. No. 2.—The National Civilian Police Compensation Cooperative is an entity with legal capacity, empowered to make and enforce appropriate regulations.

Art. No. 3.—The Compensation Cooperative of the National Civilian Police shall be represented by a Board made up of:

- a) The Head of the Department of Personnel.
- b) The Auditor General.
- c) A representative from the Nation's General Comptroller's Office.
- d) A representative from the senior officers' branch.
- e) A representative from the junior officers' branch.
- f) A representative from the Non-Commissioned Officers' branch.
- g) A representative of the patrolmen.

This Board shall be chaired by the Officer with greater seniority and highest rank. This Board shall appoint its own secretary.

The members of this Board shall be morally, legally, and monetarily liable for the rulings they pass.

Art. No. 4.—The compensation Board shall be in charge of determining whether the members of the organization are entitled or not to severance pay, refunds or reimbursement of payments made to the Social Security fund.

\*Quito, 23rd of July 1968

Art. No. 5.—The members of the Compensation Board who represent Commissioned Officers, Non-Commissioned Officers and patrolmen shall be elected annually to the post and in accordance to their own rules and regulations.

Art. No. 6.—In determining eligibility for compensation purposes, the Board shall abide by the evidence presented in each particular case and by the general provisions of the Higher Command and the Performance Evaluation Board of the National Civilian Police regarding the rights of the members to compensation; however, it shall not consider those provisions and evidences as final and binding.

Rulings by the Compensation Board can be appealed before the Honorable Higher Court of the First District of the National Civilian Police within a period of thirty days after which the Board's ruling shall be enforced.

Art. No. 7.—The Fund of the Compensation Cooperative is made up of:

- a) The Principal accrued to that effect in the Retirement Fund and which was transferred to the Compensation Board Fund.
- b) The annual contribution of 10% of the salaries earned by Commissioned Officers, Non-Commissioned Officers and troopers of the National Civilian Police.
- c) The funds accrued through fines applied to those members who fail to report for duty.
- d) The funds accrued through the contributions made by the Government of the equivalent of 5% of the salaries of the members of the organization, starting on the 1st of January of 1962, which is to be considered as the employers' contribution to the Compensation Board Fund for which purpose the necessary figures should appear in the Nation's general budget.
- e) The interest and other profits accrued by the Compensation Board's principal and
- f) Legacies, donations and others.

Art. No. 8.—In order to fulfill its objectives, the Compensation Board shall deal with two types of funds.

- a) A Reserve Fund, made up of the principal transferred from the retirement Fund to the Compensation Board Fund and all other income as explained in letter f) of Article No. 7 and
- b) The Ordinary Fund made up of the personnel annual contributions, the employer's contribution and any other income contemplated in this Act.

Art. No. 9.—The reserve fund shall be permanent and cannot be invested in loans unless the capital used in making them is insufficient because of unforeseeable emergencies, or when the amount of said loans, after the actuary calculations,

happens to be less than the amounts contributed by the members of the Police Cooperative, plus a 10% annual interest.

The ordinary fund is the capital principal used in paying severance pay, refunds and payments reimbursements.

Art. No. 10.—The Cooperative shall invest the Reserve Fund into mortgage bonds and in buying stock of their own, whereas the Ordinary Fund shall be invested in Security of the National Security and Exchange Commission. The interest accrued by these securities shall be added to the respective principals, thus increasing them; however, the Compensation Board, if need be and in answer to technical considerations, may make use of up to 70% of the interest accrued by the Reserve Fund in order to increase the Ordinary Fund.

Art. No. 11.—The Treasury Department shall put the payroll for the National Civilian Police and the 10% of the members salaries contribution under the control of the Pay Master at General Headquarters who in turn shall deposit this money in the Bank account of the Cooperative, in accordance to the provisions of the proper Regulations.

Art. No. 12.—Principals which make up the Funds of the Compensation Cooperative are not susceptible to transfer, withholding or garnishment and are federal and municipal tax exempted. Equally tax exempted and free of transfer, withholding tax garnishment are the loans made by the Cooperative, the refunds and reimbursement of payments made by the members of the National Civilian Police, with the only exception of those expenses incurred in supporting dependents and/or the arbitrary use of the Funds of the Police Force.

Art. No. 13.—The interest accrued by the Funds of the Compensation Cooperative shall not be considered as profit, when considered under Labor Laws.

Art. No. 14.—National Civilian Police officers of all ranks who by any reason, excepting desertion or treason, left the organization, are entitled to ask for loans from the Compensation Cooperative provided they fulfill the following requisites:

—They contributed 144 monthly dues to the Compensation Cooperative during a 12 year period of active status and active duty in the police force, without taking into consideration the bonuses they may have received during their career with the force.

—Their retirement records have been reviewed and approved by the Honorable Performance Evaluation Board of the National Civilian Police and

—They have paid the full amount of the monthly dues established by the Compensation Board.

Those Commissioned Officers, Non-Commissioned Officers and troopers of the National Civilian Police who die or end up physically disabled while on duty as the result of one of the three specific cases contemplated in the Retirement Act of the Military which is also in force for the police, and who have contributed to the Compensation Cooperative with at least 60 monthly payments, shall be entitled to ask for loans in accordance with the following rate:

If deceased	100%
Disability first class	80%
Disability second class	70%
Disability third class	50%

If a member entitled to loans dies, the eligibility of his dependents to same shall be determined by the Civil Code.

Art. No. 15.—Two different types of loan amounts are hereby established; one for Commissioned Officers and the other for Non-Commissioned Officers and patrolmen, without rank distinction. The amounts shall be established annually by the Compensation Board, after all actuary calculations have been made, and shall be approved by an Executive Decree.

The Calculations referred to in the previous paragraph includes such things as:

- a) The average total income of the Cooperative in the last four years.
- b) The employer's contribution to same and
- c) The average income of all members and the number of personnel who left the force during the last four years and who are eligible for benefits.

Those non commissioned officers and patrolmen who are called upon to serve as Commissioned Officers, shall be entitled to the benefits of the Compensation Board as a Commissioned Officer or otherwise, depending on which is greater, either his contribution to the Compensation Board as a Commissioned Officer or as a Non-Commissioned Officer or patrolman.

Art. No. 16.—When necessary and after a study of its own finances, the Compensation Board shall establish an annual quota for loans; one quota for Commissioned Officers and one for Non-Commissioned and patrolmen. Those who apply and cannot make the quota because it is already filled shall be included in it the next year. The amount of the loan shall be determined by such considerations as the date of their discharge and the date they submitted the application for them.

Art. No. 17.—If after a loan is granted its recipient is reinstated in the police force; in order for him to become eligible for loans again, he should fulfill once more the requirements established by Article No. 14 of these Statues.

Those members of the force who leave it without fulfilling the necessary requirements may request the reimbursement of all monies contributed but, if reinstated in the National Civilian Police they can become eligible again by paying back the sums they were reimbursed plus the legal interests they accrued. This money shall be added to the payments they are now contributing to the Cooperative as reinstated members with the purpose of establishing the extent of the benefits to which they are now entitled.

Art. No. 18.—Eligibility to Compensation Board Benefits shall not be affected by changes in the reinstatement dates, non-assigned status dates or discharge dates or changes in status from non-assigned to active.

Likewise, reinstatements and new appointments of the members of the National Civilian Police shall not affect eligibility if they were done after retirement and disability benefits were accorded, unless they were in violation of the rules and regulations.

Art. No. 19.—Non-Commissioned Officers and Patrolmen who by some reason were separated from active status and have received severance pay, cannot be reinstated to active duty unless they reimburse the sums they were paid plus the interest accrued.

Art. No. 20.—In order to be eligible for reimbursement of the payments contributed to the Compensation Board, it is necessary to be in active status and duty for 24 consecutive months, unless discharged for reasons of desertion or treason.

The reimbursement accorded shall reflect a 10% deduction, except that when requested before the beneficiary has completed the payment of 36 consecutive monthly installments to the Compensation Board, it shall reflect a 25% deduction. These deductions shall be credited to the Cooperative's Ordinary Fund.

Art. No. 21.—Eligibility to the Cooperative's benefits and reimbursement of payments expires three years after being discharged.

Art. No. 22.—The limitations referred to in the previous article shall be effected on all discharges after the 29th of May 1962. Regarding the discharges occurred before that date the expiration date shall be five years after the discharge date.

Art. No. 23.—The Compensation Board shall enact the necessary regulations regarding the enforcement of this Law, which shall be approved by the Executive Branch.

Art. No. 24.—The National Civilian Police Compensation Board is not empowered to import goods of any kind, or to engage in any type of trade for any reasons whatsoever.

ANNEX K

PERSONNEL RULES AND REGULATIONS OF  
THE NATIONAL CIVILIAN POLICE

GENERAL HEADQUARTERS OF THE  
NATIONAL CIVILIAN POLICE

DEPARTMENT NO. 3 OF  
OPERATIONS

*Personnel Rules and Regulations*

Executive Order No. 1419

CLEMENTE YEROVI INDABURU, ACTING PRESIDENT OF THE REPUBLIC,  
MAKING USE OF THE FACULTIES BESTOWED UPON HIM, DECREES THE  
FOLLOWING RULES AND REGULATIONS AFFECTING THE NATIONAL POLICE.

TITLE NO. 1

GENERALITIES

CHAPTER I

Objectives of the Rules and Regulations

Art. No. 1.—The Rules and Regulations governing the National Police have as their objective to regulate the police profession, to guarantee the career status of its members and to foster their desire to improve themselves and excel in their profession.

CHAPTER II

PERSONNEL CLASSIFICATION

Art. No. 2.—In order to become a member of the National Police it is required to have been born an Ecuadorian, to be a citizen in good standing and to have fulfilled the requirements established by the Rules and Regulations governing the organization.

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\*Quito, July 23, 1968

CONFIDENTIAL

Art. No. 3.—The National Police members are classed as follows:

- a) Commissioned Officers
- b) Officer candidates
- c) Troops (patrolmen)
- d) Civilian employees and
- e) Civilian personnel under contract.

Commissioned officers are those who, having fulfilled all legal and regulatory requirements, have been awarded the certificate which credits them with any of the ranks between that of Second Sub-Inspector and Prefect Commander, inclusive.

Officer candidates are those who have been accepted as Cadets in the National Police Training Academy for commissioned officers.

Troopers is the generic denomination who sets apart those who have been awarded the rank of up to First Non-Commissioned officer (Master Sergeant) inclusive.

Civilian employees are those persons who work permanently for the National Police, after having been named by and had their appointment registered with the National General Comptroller's Office.

Civilian Personnel under contract are those who perform in a technical or advisory capacity in specific activities but for a limited time only, having previously signed a contract with General Headquarters.

Art. No. 4.—The professional nature of the police career is credited through a certificate conferred by the President of the Republic through the Ministry of Government at the request of the Police General Headquarters.

The professional nature of each of the troopers is credited through the appropriate diploma conferred on them by the Police General Headquarters.

Art. No. 5.—The specialization training received by any member working at any of the various branches of the Organization is credited to him by the appropriate Executive Decree at the request of the General Commander. This is done in accordance with the diploma awarded, the pertinent rules and regulations, and, or training courses attended in the Country or abroad.

Art. No. 6.—The "Certificate or Degree" confers a permanent professional nature to the members of the National Police and makes them eligible to be included in the "Active List" of the Institution. This right is not forfeited except in those cases explained in the rules and regulations.

Art. No. 7.—The personnel of the National Police, with the only exception of the civilian personnel and civilians under contract, are classed as follows:

1.—Officers General:

- a) Prefect-Commander and
- b) Prefect-Chief

2.—Senior Officers

- a) Prefect and
- b) Sub-Prefect

3.—Junior Officers

- a) Inspector
- b) First Sub-Inspector and
- c) Second Sub-Inspector

4.—Officer Candidates

- a) Cadets

5.—Troopers (Patrolmen)

- a) First Non-Com officer (Master Sergeant)
- b) Second Non-com officer (Deputy Master Sergeant)
- c) First Sergeant
- d) Second Sergeant
- e) First Corporal
- f) Second Corporal
- g) Patrolman

CHAPTER III

Higher Authority

Art. No. 8.—Higher Authority in the National Police is determined by hierarchy and seniority.

Higher hierarchical authority is the one vested upon a member of the Organization over any other one because he is of a higher rank.

Higher authority based on seniority is the one vested upon a member of the Organization over any other one of the same rank.

Seniority is determined by the following:

- a) The length of time served in active duty and in the specific rank; and
- b) When equal length of time has been served in the same rank, because of seniority in the next lower rank.

When considering members of the National Police with the same hierarchical rank, the ones belonging to the line services will have command priority over the ones belonging to the supporting services.

## CHAPTER IV

### Command

Art. No. 9.—The authority to command is established by the Rules and Regulations based on the responsibilities and rights that go with a specific position or rank.

Art. No. 10.—The authority to command is acquired by lineal inheritance or because it has been vested upon the recipient.

Art. No. 11.—The right to inherit the authority to command in the various police units and divisions is proper to those members who belong to the line service, only, except in those cases where the position or type of work in question is proper to the supporting services personnel or civilian employees as established by the rules and regulations.

Inheritance of authority shall befall on those members of the unit or division with the highest rank or authority and in case of parity of such, on the member with more seniority.

Art. No. 12.—The particular office or employment is the organic position established for the members of the Organization to carry out their duties, position which can be of three types:

- a) The original holder of the office
- b) Acting holder of the office and
- c) Contingent holder of the office.

Art. No. 13.—The original holder of the office is the one who fills the position by express appointment of the higher authority, with no time limitations attached or those attached to it by the rules and regulations.

Acting holder of the office is the one who fills the position only temporarily until an original holder is appointed.

Contingent holder of the office is the one who fills the position automatically and temporarily because of absence of the original or acting office holder; he who fills it has no authority to change permanent orders or decrees issued by the original or acting office holder.

Art. No. 14.—Civilian employes depend, on matters of command and staff, upon the Commander or Head of the unit or division, service or office in which they render their services, and on judicial and disciplinary matters on what is established by the Police Department rules and regulations.

## CHAPTER V

### RECRUITMENT

Art. No. 15.—The personnel of the National Police, with the exception of the civilian employees, is classed as:

- a) Line personnel
- b) Supporting services personnel.

Line personnel is that empowered with executive and command functions used in carrying out their duties at any branch of the Organization Supporting Services personnel is that whose duties fulfill the administrative, logistic and judicial needs of the National Police.

Art. No. 16.—The Commissioned Officers of the line personnel branch are recruited from among the members of the Training Academy for Commissioned Officers. These cadets who showed greater dedication and abilities may continue their studies in similar foreign Police Institutes, pending approval by the Executive, until the day of their graduation.

The seniority acquired by Commissioned Officers graduating abroad will be determined by the Higher Council, in accordance with the existing regulations.

Art. No. 17.—Patrolmen for line personnel branch are recruited from among members of the Training Academy for Patrolmen (Troopers).

Art. No. 18.—Commissioned officers and patrolmen for the supporting services branch are recruited by merit as determined by the Higher Council in the case of Commissioned officers, and by the head office in the various units and divisions, in the case of patrolmen.

Commissioned officers for the supporting services branch shall be appointed to the National Police by Executive decree. Patrolmen shall be appointed by a *general order* of General Headquarters.

The recruiting of personnel for the Supporting Services Branch shall be performed in accordance with the existing vacancies, and as established by the rules and regulations.

Commissioned Officers for supporting services branch can reach the rank of Prefect-Chiefs for retirement purposes only.

## TITLE II

### Police Status

#### CHAPTER I

Art. No. 19.—Police status is the lawful condition of the National Police personnel as established by the Rules and Regulations of the Organization.

Art. No. 20.—Commissioned Officers Status in the police force includes:

- a) Active status
- b) Non-assigned status (non-assigned)
- c) Retirement status

Officer Candidates and trainees of the Training Academy for Patrolmen have only active status.

Art. No. 21.—Police Status is determined by:

- a) Executive Decrees in the case of Commissioned Officers and
- b) By an order of the Commander General in the case of Officer Candidates and Patrolmen.

Art. No. 22.—Active Status is that one which permits the members of the National Police to perform their duties in accordance with the rights and responsibilities set for their respective ranks and positions. This status cannot be changed except for the reasons established in the rules and regulations.

Art. No. 23.—In active status are also those members of the Organization who are included in any of the following situations:

- a) Suffering from sickness acquired while on duty or as a result of it, and which keeps them physically disabled for at least one year, or, if the cause for sickness is different, for at least six months.
- b) Those members of the Organization who, having over five years seniority in the Force have benefited once with annual leave without pay for a period not to exceed three months and

- c) Those members of the Organization who vanished unwillingly while on duty, unless the official investigation of the case proved the contrary.

Art. No. 24.—The member of the Institution who goes AWOL while on duty will remain on active status for a maximum period of four years, after which time he will be discharged from the rolls, as if killed in action; his family shall receive a pension and the other benefits contained in the rules and regulations. In case the presumed deceased officer should report back for duty at a later date, his pension shall be immediately terminated and he shall return all benefits received without regard for further legal action against his person.

## CHAPTER II

### NON ASSIGNED STATUS

Art. No. 25.—Non-assigned status is the one that places a member of the National Police within the Organic Structure of the Organization but without assigning him any command function or office.

Art. No. 26.—Members of the Organization cannot be placed in a non-assigned status, except in the following cases:

- a) Because they requested it.
- b) Because of age limitations.
- c) Because they possess enough seniority for maximum retirement benefits.
- d) Because they were included in the annual "quota" set up for reducing personnel.
- e) Because of physical-mental disability.
- f) Because of conduct unbecoming an officer.
- g) Because of an indictment.

Art. No. 27.—Non-assigned status shall be granted by reasons of age limitations and by reasons of retirement which the act currently in force establishes for the National Police personnel.

Art. No. 28.—Non-assigned status shall be granted after a member has completed the necessary maximum retirement years of service as established by Article No. 79 of the law currently in force.

Art. No. 29.—Non-assigned status shall be accorded to a member included in the quota established with the object of reducing personnel as set up by articles 75, 76, and 77 of this statute.

Art. No. 30.—Non-assigned status shall be granted to those members of the Institution who by reason of sickness go over the limits established by letter a) of

Article No. 23 of the statute and those included in the cases of physical disability of up to Third Class. If they recover while on Non-assigned status, same shall be terminated and they will be reinstated to Active Status.

Art. No. 31.—Non-assigned status as caused by reasons contemplated in letters a), b), c), d), and e), of Article No. 26 of this statute shall last six months for Commissioned Officers and three months for non-commissioned officers and troopers, provided they have a minimum of 5 and 10 years of active duty in the Force respectively, and, one month for both Commissioned Officers and troopers if they do not have the seniority indicated above but have over a year of active duty in the forces.

Art. No. 32.—In case of suspected conduct unbecoming an officer and in those cases contemplated in the second provision of Article No. 54 of this Act, the affected member(s) of the National Police will be granted Non-assigned status for a maximum of sixty days, without his relinquishing his office. If during this time the charges are not substantiated by means of a formal indictment as prescribed, he shall be reinstated to active duty and his seniority duly adjusted. If the charge of unbecoming conduct is substantiated, he shall be tried according to existing criminal laws. If only unbecoming conduct is proved, he shall be discharged.

Art. No. 33.—In reference to the previous article, it is considered to be unbecoming conduct to repeat a violation of the Law, the breach of discipline, or to conduct himself in such a way as to affect the prestige of the Organization.

Art. No. 34.—If a member of the Organization is fired, he shall be granted non-assigned status for as long as the trial lasts. If found guilty, he shall be discharged. If not guilty, he shall be reinstated to Active Duty and paid all salaries withheld and his seniority shall be updated.

Art. No. 35.—Those members of the Organizations to whom Non-assigned status has been granted, shall be entitled to all the salaries of their active duty status and rank.

Art. No. 36.—The positions of those members of the National Police to whom non-assigned status has been granted shall be considered to be vacant and can be assigned permanently to somebody else, except in those cases contemplated in letters e), f) and g) of Article No. 26 of this Organic law.

Art. No. 37.—No member of the National Police in non-assigned status can be promoted or wear the uniform of the Organization. He cannot be on special service either or be empowered with the rights of active duty status but he can hold other public offices outside the organization.

Art. No. 38.—Non-assigned status time can be credited to retirement and pension time but not to seniority or promotion time, except in those cases spelled out in letters e), f) and g) of Article No. 26.

Art. No. 39.—Non-assigned status and discharge of officers will be ordered through an Executive Decree, at the request of the Ministry of Government and through previous request from the Commander General.

Art. No. 40.—Voluntary requests for discharge of non-assigned status (for both commissioned officers and troopers) can be turned down only in the following cases:

- a) When the applicant is under indictment or about to be tried.
- b) When there is internal unrest or international conflict, or imminent danger of such.
- c) When the applicant is being transferred or on special duty, in which cases, before three months have elapsed and before the special duty has been terminated, respectively.
- d) When the applicant has less than three years in the force if a Commissioned Officer, a year if a trooper; and
- e) When the applicant has not served on active duty for a period equal to that time spent attending a foreign police school or attending courses at a local university, when such is the case.

Art. No. 41.—Commissioned Officers who think their non-assigned status or discharge is illegal, can appeal only once to the Higher Council, and to troopers, to the Commander General.

Art. No. 42.—If a member of the National Police is on special duty abroad, he cannot be granted Transitory Status or discharged until he is back in the country.

### CHAPTER III

#### Retirement

Art. No. 43.—Retirement status is that one by which a member of the National Police without relinquishing his rank and professional character, no longer belongs to the permanent list of the organization as established by the current Act of retirement in forces.

Art. No. 44.—Retirement status shall be requested through an application in writing submitted by the applicant to the Commander General. The retirement status shall be granted by an executive decree in the case of Commissioned Officers and by an order of the Commander General in the case of troopers.

Art. No. 45.—The application for retirement status can be turned down when the applicant is being or about to be indicted.

Art. No. 46.—The members of the National Police can be discharged without being given non-assigned status or it can be suspended only in the following cases:

- a) By voluntary resignation if submitted in writing by the individual party.
- b) When still being wanted eleven or more days after an arrest warrant has been signed.
- c) For being absent from duty ("disappeared") as established by Article No. 24 of these Rules and Regulations.
- d) By reason of death.

Art. No. 47.—Reinstatement of members of the National Police is forbidden except in those cases established in Article No. 34, and even when fulfilling the requirements in Article No. 16 of the present Rules and Regulations.

The appointment of line personnel and that of supporting services to the National Police can be done only once.

TITLE III

Promotions

CHAPTER I

General Rules

Art. No. 48.—Promotions are awarded in each rank of the National Police, by an Executive Decree in the case of Commissioned Officers and Cadets graduating from the training Academy and by an order from the Commander General in the case of troopers.

Art. No. 49.—Promotion of Commissioned Officers and troopers shall be awarded as soon as there are vacancies in the next higher rank, previous approved by the Higher Council in the case of Commissioned Officers, and previous approval of the Department of Personnel in the case of troopers.

Under no circumstances a promotion can be awarded if there is not a vacancy available in the Police Hierarchy.

Art. No. 50.—In order to be eligible for promotion to their next higher rank, Commissioned Officers shall fulfill the following seniority requirement in their present ranks:

Second Deputy Inspector . . . . .	4 years
First Deputy Inspector . . . . .	4 years
Inspector . . . . .	5 years
Sub-Prefect . . . . .	5 years
Prefect . . . . .	4 years
Prefect-Chief . . . . .	3 years

By-Laws shall determine the rank seniority required for promotions in the case of troopers.

## CHAPTER II

### About Grades, Points and Selection for Promotion Purposes

Art. No. 51.—Promotion of Commissioned Officers shall be done in accordance with a strict system of points accumulation. The points needed to be promoted are the sum of points obtained through seniority plus the points obtained by merit.

If two Commissioned Officers about to be promoted obtain an even number of points, the one with the highest merit points shall have priority; and, in case of even number of merit points, the one with the greater seniority in the rank shall have priority.

Art. No. 52.—Seniority points are accrued by taking into account the length of time served in a given rank, month wise, plus the true number of other Commissioned Officers in the same rank but with less seniority.

Art. No. 53.—Merit points are the result of the total sum of grades obtained by each Commissioned Officer in his respective rank, in the following fields:

- a) Average grade for conduct
- b) Average grade for performance.
- c) Final grades received in each subject matter while studying locally or abroad.
- d) Grades received in written examinations; and
- e) Acts of courage.

Art. No. 54.—All subjects matters mentioned in the previous article shall be graded according to the following scoring system:

20, 19, and 18:	Outstanding
17, 16, and 15:	Very good
14, 13, and 12:	Good
11, 10, and 09:	Fair
08, 07, and 06:	Poor
05, 04, and 03:	Very poor
02, 01, and 00:	Bad

Art. No. 55.—The Commanders and Heads of the various units and braches shall grade the conduct and performance of their subordinates every three months, provided they have been under his command for at least 45 days. Grade charts should be submitted to the Department of Personnel within ten days of their request through the regular channels.

Art. No. 56.—In order to grade the conduct of their subordinates, supervisors shall take into consideration both the amount of disciplinary action taken against them and the commendations in their favor, plus their conduct inside and outside the organization.

Grades which are lower than 12 points (twelve) shall have to be explained in writing by the next higher supervisor of the one making the grading and this in turn shall start the appropriate summary proceeding before the respective District Court.

Art. No. 57.—In order to grade performance, supervisors shall take into account things such as responsibility and dedication to the job, and the degree of success attained by the subordinates in accomplishing the tasks assigned to them.

Art. No. 58.—Both conduct and performance grades can be appealed before the next higher supervisor in the line of command of the grading officer, in second instance, and in last before the Higher Council in the case of Commissioned Officers, and before the Commander General in the case of troopers.

The appeals referred to in the previous paragraph ought to be made within 8 days of the date on which the interested party received official information about his grades. The final ruling as to same also ought to be known within equal time elapsed.

Art. No. 59.—In order to accrue merit points because of attendance to courses dectated locally in the country, it is necessary that they fulfill the following requirements:

- a) That the subject matters taught in the specific course be of police nature or directly related to the police profession.
- b) That the course(s) be officially sponsored and that the termination of the studies be certified by a diploma or final certificate awarded by the school in question; and
- c) That the duration of the courses be no less than the equivalent to 350 hours of work.

Art. No. 60.—General Headquarters shall dutily arrange for promotion Courses for the ranks of First Sub-Inspector, Inspector and Sub-Prefect at the appropriate school level. Commissioned Officers because of seniority or at their own request shall be assigned to attend these courses. Headquarters shall also arrange for refreshment courses at all rank levels, in order to keep high the efficiency standards of all members of the force.

Art. No. 61.—Those members of the National Police who have received grades lower than 12 points, while attending promotion or specialization courses, shall forfeit the right to have those points credited to the merit point system used for promotion

purposes. No officer can repeat a course except when he has interrupted it because of serious sickness which prevented him from attending it for fifteen days or more.

Art. No. 62.—In order that attendance to Courses conducted abroad be credited to the merit point system, it shall be necessary:

- a) That the subject matters studied be of police nature or directly related to it; and
- b) That the course(s) duration be not less than the equivalent of 350 work hours.

Completion of courses dictated abroad shall be established by the Higher Council and according to the point system established by Article No. 54, also taking into account the certificates and/or degrees awarded by the Foreign Government or Institution in question. Grades lower than 12 points shall not be credited to the merit point average.

Art. No. 63.—Written examinations shall be graded by using the same point system explained in Article 54, and by a Committee appointed by the Commander General and made up of 3 officers of a higher rank than that of the examinee. Grades received can be appealed before the Higher Council. Grades lower than 12 points shall not be credited to the merit point system and mean that the examinee has failed the examination. In order for written examination grades be credited to the merit point average, it shall be necessary that:

- a) They are original
- b) They are about the police profession or closely related to it or its interests.
- c) They are considered to be of positive usefulness to the Force by the Qualifying Commission.
- d) They are not shorter than the equivalent of 10,000 words.

Art. No. 64.—Acts of bravery shall deserve a score of 20 points, which shall be credited by the Higher Council. In order that they are credited as merit points, it is necessary that:

- a) The act of bravery occurred while on police duty.
- b) There was a real or imminent risk against the life of the officer(s).
- c) The officer's action was necessary.
- d) The officer's action was dictated by a keen sense of duty or other altruistic or moral sentiment; and
- e) The officer's action was performed while on unfavorable or precarious circumstances for him.

Art. No. 65.—Any supervisor who learns of an act of bravery performed by a subordinate under his command, shall routinely conduct a complete investigation of

same in order to establish the circumstances under which it was done, and shall submit the corresponding report to General Headquarters along with the statements of the witnesses, if any. In case the supervisor does not report routinely, the interested party shall submit a request to him, and if rejected, shall appeal to the Commander General, in the second instance, and to the Higher Council in the last.

### CHAPTER III

#### Special Requirements for Promotion Purposes

Art. No. 66.—In order to be promoted to the ranks of Prefect, Prefect Chief, and Prefect Commander, it shall be necessary to write a paper according to the specifications included in Article No. 63 plus the following guidelines:

- a) The subject dealt with shall be the one chosen by the Officer in question from amongst four selected by the Technical Council, which shall also have to approve the work plan prior to its implementation.
- b) All papers which do not attain 17 points or better, shall be rejected.

Art. No. 67.—No Commissioned Officer can be promoted to Prefect Chief unless he has passed the courses dictated at the Training School for Top Command.

Art. No. 68.—No Commissioned Officer can be promoted to the rank of First Sub-Inspector, Inspector or Sub-Prefect unless he has passed the courses mentioned in Article No. 60 of the present rules and regulations.

Art. No. 69.—The requirements included in the present Chapter shall also be fulfilled by troopers, but in accordance with their respective regulations.

Art. No. 70.—Members of the Force who by virtue of their promotion point average are within the first four places in their rank list, and die or become physically disabled because of action occurred while on duty, shall be promoted for retirement and pension purposes, respectively.

If they die while on duty and due to the circumstances explained in Article No. 64, they shall be promoted no matter where they are temporarily located.

Art. No. 71.—Annually, and within the first thirty days of the month of January, the Higher Council shall issue a provisional list with the names of the Commissioned Officers and likewise the Department of Personnel a provisional list with the names of troopers, including their rank, seniority in it and the points they accrued for promotion purposes through December 31st of the previous year. The members of the force may appeal to the Higher Council and the Commander General, respectively, within the next thirty days of the publication of these lists, after which the final lists shall be published.

## TITLE IV

### Hiring and Reduction in Force

Art. No. 72.—The number of Commissioned Officers that should graduate each year from the Training Academy for Commissioned Officers shall be determined by the Higher Council every time that the authorized strength is modified in accordance to the index of hiring and graduation of the Commissioned Officer Corps, coefficient which is arrived at by the average number of years required for both the maximum and minimum retirement benefits as established by the respective Law. Under no other circumstances shall the Training School for Commissioned Officers graduate a greater number.

Art. No. 73.—Each year the number of Commissioned Officers graduated from the proper Schools should equal that of the ones leaving the Organization minus the number of positions left vacant in conformity with what is established by Articles 26, 36, and 46 of these rules and regulations. The result thus obtained is called True Reduction in Force Coefficient.

Art. No. 74.—The coefficient of reduction for each rank shall be arrived at by dividing the true Deduction in Force Coefficient by the existing number of ranks between those First Sub-Inspector and Prefect Commander, inclusive. (6).

Art. No. 75.—As established by the coefficient of reduction, therefore the first ones to be discharged in each rank shall be those Commissioned Officers with the greater coefficient of reduction, which is arrived at by dividing one hundred (100) by the merit points accrued by each Commissioned Officer.

Art. No. 76.—If the number of Commissioned Officers discharged through this method were smaller than the True Reduction in Force Coefficient, then these Commissioned Officers at any rank with the greater elimination coefficient shall have to leave the Organization, higher rank first, until the T.E.N. is finally reached.

Art. No. 77.—In case of two or more Commissioned Officers have the same Coefficient of Reduction in Force the ones with more retirement seniority and salary bonuses shall have to leave the organization, in case of same amount of retirement seniority the ones with longer service, provided they are not promoted on the same date; and, if so, the ones with shorter service.

Art. No. 78.—Second Sub-Inspectors shall not be taken into consideration for reduction in force purposes. No Commissioned Officer should be considered for reduction in force purposes unless he has at least one year of service in his rank. The points accrued because of attendance to special courses shall not be taken into consideration for reduction in force purposes the only exception being when the Commissioned Officers of same rank hold the same standards.

Art. No. 79.—Those with the necessary seniority for maximum retirement benefits, exclusive of salary bonuses received, shall automatically be discharged.

Art. No. 80.—The provisions included in this Title will also apply to the troopers but in accordance to their respective regulations.

## TITLE V

### Transfers and Assignments

#### CHAPTER I

##### General Rules

Art. No. 81.—Transfers and assignments for Commissioned Officers shall be approved by the proper Ministry at the request of the Commander General; trooper transfers and assignments shall be done through a General Order issued by General Headquarters.

Transfers from one branch to another of the National Police shall be ordered by the Commander General in the General Orders of the Organization.

Art. No. 82.—In assigning the members of the National Police to the various positions and offices in the Organization their rank and seniority shall be taken into consideration.

No member of the organization shall fill positions which correspond to members with lower rank. The organization's line personnel may be assigned to administrative positions, but under no circumstances the opposite may be true.

Art. No. 83.—General Headquarters shall promote professional stability of both Commissioned Officers and troopers in the various positions and offices they staff. Transferring of a member of the organization cannot be ordered until he has served for at least one year in his last station, except when in emergency cases.

#### CHAPTER II

##### Special Rules

Art. No. 84.—Only Commissioned Officers who have completed their studies at the Training School for Senior Officers shall be assigned to the positions of Commander General; Deputy Commander General, Branch Director General, Department Chiefs, Director, Deputy Director and Faculty member of the Training Academy for Senior Officers and District Commanders.

Art. No. 85.—Those Commissioned Officers with the greater number of merit points shall have priority over all others to fill positions at the various training schools of the Organization and at General Headquarters and its various offices.

Those Commissioned Officers and troopers who have obtained certificates in specialization courses shall have priority over anyone else to fill the positions in their respective fields of operation.

Art. No. 86.—All Commissioned Officers, in order to attain the rank of Sub-Prefect, should have seen service in any of the following posts: for at least three months in the island of Galapagos or Border Posts, or one year in any of the Eastern Provinces or the Coastal ones, as a Commissioned Officer in any of the lower ranks.

Art. No. 87.—It is expressly forbidden the transferring of members of the organization as a disciplinary measure or as a way of punishing negligence or professional inability of same. Those Commissioned Officers and troopers guilty of the breach of discipline and other violations shall be tried in accordance with the disciplinary and penal laws of the National Police, whereas those who have shown negligence or professional inability shall lose merit points.

Art. No. 88.—The members of the Organizations are entitled to transfers when stationed in the same post for at least two consecutive years. When assigned in the provinces or in unwholesome posts or the Oriental Region the tour of duty required is of one year. Transfers for reasons of health may be granted to both Commissioned Officers and troopers at any time. Commissioned Officers are entitled to transfer in order to fulfill the requirements contained in Article No. 86 of these rules and regulations, transfers which cannot be refused by the Higher Authority.

## TITLE VI

### Special Assignments

Art. No. 89.—Special assignments are police tasks entrusted by the Higher Authority to the members of the Police in active status for them to carry out.

Art. No. 90.—Special assignments may be ordered by:

- a) The Minister of Government
- b) The Commander General; and,
- c) The Direct Supervisors functioning as District Commander, Chief of Divisions and Heads of Offices.

Art. No. 91.—Special assignments abroad shall be ordered through an Executive Decree which shall also include information regarding travel allowances as established by the pertinent Regulations.

Art. No. 92.—When a member of the Organization is carrying out a special assignment which is most important in the opinion of the supervisor who ordered it, it shall be included in the personal record of the member in question along with the rating given his performance, which shall be taken into consideration when writing the efficiency report of said member.

Art. No. 93.—Those members of the Organization who have been entrusted with special assignments qualify for transportation and travel allowances in accordance with the respective regulations.

## TITLE VII

### Annual Leave and Special Leave

Art. No. 94.—Members of the National Police are entitled to 30 days non deferrable paid annual leave each year. If not use, these 30 days can be carried to the next year only but once. Annual leave shall be granted by the Commander General.

Art. No. 95.—The members of the Organization may request special leave of up to eight days because of the following reasons:

- a) Because of death or serious sickness of wife or other relatives, up to third generation blood related or of first, not blood related, previous determination of such.
- b) Because of need to attend to proven, non deferrable judicial or administrative proceedings
- c) Because of national disaster affecting his household if same is located in other area than that of his place of work.

When more than two special leave periods are granted in a given year, the additional leave period shall be credited against the annual leave.

Art. No. 96.—Only the Commander General, the Director Generals of Divisions, the Heads of Departments, the Directors of Schools, the District Commanders, the Provincial Commanders or those who act in their behalf shall have the authority to grant special leave, and only within their respective jurisdictions.

All special leave granted should be reported to the Department of Personnel for its recording.

## TITLE VIII

### General Regulations

Art. No. 97.—All Requests or appeals by the members of the organization regarding their rights shall follow the regular channels, in accordance with the pertinent regulations.

Art. No. 98.—The members of the National Police in active or non-assigned status are forbidden to endorse political or administrative movements or participate either directly or indirectly in them.

Art. No. 99.—Those members of the National Police who are on a retired pension status are entitled to health care and social benefits provided by the organization in the same manner as are the members in active status, in accordance with the regulations that General Headquarters shall prescribe.

These Commissioned Officers and troopers who are in a retired status and directly or indirectly participate in activities which threaten the security or prestige of the organization or its members shall totally forfeit rights they are entitled to.

Art. No. 100.—The members of the National Police are entitled to receive decorations in accordance with the circumstances established by the pertinent regulations. If decorated by other National Government Agencies or Foreign Governments, they shall have to request authorization to wear on these decorations.

Art. No. 101.—Troopers who by any reason are discharged from active duty and receive severance pay, cannot be reinstated in their former position unless they pay it back plus the interest it has accrued.

Art. No. 102.—The Federal Government shall pay for all funeral expenses of deceased personnel in active status.

Art. No. 103.—Cadets, (officers candidates) students in the Training School for patrolmen and civilian who work for the organization are all subjected to the laws and regulations of same, beginning with the very moment they are assigned as such.

Art. No. 104.—Commissioned Officers of line personnel are exempted from making the compulsory military service as established by the pertinent law.

Art. No. 105.—The Rules and Regulations on Police Status and Promotions in the National Civilian Police which codified and enacted on the 7th of January, 1959, are hereby revoked as are all other laws and regulations in conflict with these, which shall be in force beginning their inclusion in the Official Record.

#### Temporary Provisions

FIRST: Enforcement of Articles No. 67, No. 6b, and No. 84 of these Rules and Regulations is suspended until the necessary number of students graduate from the Schools and Courses mentioned in them.

SECOND: As long as the enforcement of these Rules and Regulations is difficult by reasons of the authorized annual strength for the National Police or

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by institutional reasons, exclusively, the Higher Council may order to be lowered the rank and time served requirements stipulated in Article No. 50 for promotion purposes up to 25%.

THIRD: In those instances in which the text of these rules and regulations indicate the need for special regulations, it shall be necessary to delay their enforcement until the proper ones are enacted. In the meantime, the Higher Council shall be in charge of implementing them in those cases in which it might be necessary.

FOURTH: Special regulations within these rules and regulations shall be established by General Headquarters and submitted for approval to the Ministry of Government within one hundred-eighty days from the date of their enactment.

FIFTH: All rights acquired through previous rules and regulations shall be honored. Those Commissioned Officers who have fulfilled all promotion requirements up to date, and in conformity with previous regulations, and before the enactment of the present Rules and Regulations are entitled to the benefits included in those.

The implementing and enforcement of the present Decree will be the task of the Minister Secretary of State occupying the Office of Government and Police.

Enacted at the National Palace, in Quito, the 28th of October 1966.

Signed) Clemente Yerovi Indaburu, Acting President of the Republic —  
Signed) Juan E. Murillo, Minister of Government and Police.

This is a true Copy — I certify it. — The Secretary General of Government —  
Signed) Dr. Armando Parcja Andrade.

Note: In the present Rules and Regulations, and in accordance with the Political Structuring of the Nation, Substitute the words "National Civilian Police" in place of "Policia Nacional (National Police)" as previously used.

ANNEX L

NATIONAL POLICE VEHICLES

Distribution	Make	Type	Year	In use	Auctioned	Donated by	
						PS	GOE
Comandancia General	Chevrolet	Automobile	1957	—	Auctioned	PS	—
Comandancia General	Chevrolet	Automobile	1957	—	Auctioned	PS	—
Comandancia General	Chevrolet	Automobile	1957	—	Auctioned	PS	—
Comandancia General	Chevrolet	Automobile	1957	—	Auctioned	PS	—
Comandancia General	Chevrolet	Automobile	1957	—	Auctioned	PS	—
Comandancia General	Chevrolet	Automobile	1957	In use	—	—	GOE
Comandancia General	Chevrolet	Bus	1964	In use	—	PS	—
Comandancia General	Chevrolet	Carryall	1964	In use	—	PS	—
Comandancia General	Chevrolet	Carryall	1964	In use	—	PS	—
Comandancia General	Pick-up	Pick-up	1964	In use	—	PS	—
Comandancia General	Chevrolet	Wrecker	1964	In use	—	PS	—
Comandancia General	Dodge	Bus	1964	In use	—	PS	—
Comandancia General	Dodge	Truck	1964	In use	—	PS	—
Comandancia General	Ford	Automobile	1967	In use	—	PS	—
Comandancia General	Ford	Pick-up	1963	In use	—	—	GOE
Comandancia General	International	Pick-up	1961	—	Auctioned	—	GOE
Comandancia General	Nissan	Jeep	1959	In use	—	—	GOE
Comandancia General	Nissan	Jeep	1959	In use	—	—	GOE
Comandancia General	Nissan	Jeep	1959	In use	—	—	GOE

<u>Distribution</u>	<u>Make</u>	<u>Type</u>	<u>Year</u>	<u>In use</u>	<u>Auctioned</u>	<u>Donated by</u>	
						<u>PS</u>	<u>GOE</u>
Comandancia General	Nissan	Jeep	1959	In use	---	---	GOE
Comandancia General	Nissan	Jeep	1959	In use	---	---	GOE
Comandancia General	Nissan	Jeep	1959	In use	---	---	GOE
Comandancia General	Plymouth	Automobile	1962	In use	---	---	GOE
Comandancia General	Plymouth	Automobile	1962	In use	---	---	GOE
Comandancia General	Plymouth	Automobile	1962	In use	---	---	GOE
Comandancia General	Plymouth	Automobile	1962	In use	---	---	GOE
Comandancia General	Valiant	Automobile	1961	In use	---	---	GOE
Comandancia General	Willys	Jeep	1945	In use	---	---	GOE
National Police Institute	Chevrolet	Automobile	1956	In use	---	PS	---
National Police Institute	Chevrolet	Pick-up	1962	In use	---	---	GOE
National Police Institute	Chevrolet	Box-car	1964	In use	---	PS	---
National Police Institute	Dodge	Bus	1964	In use	---	PS	---
National Police Institute	Dodge	Bus	1964	In use	---	PS	---
National Police Institute	Dodge	Truck	1964	In use	---	PS	---
National Police Institute	Dodge	Truck	1964	In use	---	PS	---
National Police Institute	Dodge	Pick-up	1963	In use	---	PS	---
National Police Institute	Dodge	Pick-up	1962	In use	---	---	GOE
National Police Institute	Dodge	Pick-up	1961	In use	---	PS	---
National Police Institute	Ford	Micro-bus	1959	---	Auctioned	---	GOE
National Police Institute	Ford	Station wagon	1962	In use	---	PS	---
National Police Institute	Land Rover	Jeep	1959	In use	---	---	GOE
Comando Pichincha	Chevrolet	Automobile	1967	In use	---	PS	---
Comando Pichincha	Chevrolet	Automobile	1967	In use	---	PS	---
Comando Pichincha	Chevrolet	Automobile	1967	In use	---	PS	---

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<u>Distribution</u>	<u>Make</u>	<u>Type</u>	<u>Year</u>	<u>In use</u>	<u>Auctioned</u>	<u>Donated by</u>	
						<u>PS</u>	<u>GOE</u>
Comando Pichincha	Chevrolet	Automobile	1967	In use	---	PS	---
Comando Pichincha	Chevrolet	Automobile	1967	In use	---	PS	---
Comando Pichincha	Chevrolet	Automobile	1967	In use	---	PS	---
Comando Pichincha	Chevrolet	Automobile	1967	In use	---	PS	---
Comando Pichincha	Chevrolet	Automobile	1967	In use	---	PS	---
Comando Pichincha	Chevrolet	Automobile	1967	In use	---	PS	---
Comando Pichincha	Chevrolet	Automobile	1967	In use	---	PS	---
Comando Pichincha	Chevrolet	Automobile	1967	In use	---	PS	---
Comando Pichincha	Chevrolet	Automobile	1963	In use	---	PS	---
Comando Pichincha	Chevrolet	Motor-van	1962	In use	---	---	GOE
Comando Pichincha	Chevrolet	Carryall	1964	In use	---	PS	---
Comando Pichincha	Chevrolet	Panel	1964	In use	---	PS	---
Comando Pichincha	Chevrolet	Panel	1964	In use	---	PS	---
Comando Pichincha	Chevrolet	Panel	1964	In use	---	PS	---
Comando Pichincha	Chevrolet	Pick-up	1963	In use	---	---	GOE
Comando Pichincha	Chevrolet	Pick-up	1962	In use	---	PS	---
Comando Pichincha	Dodge	Bus	1964	In use	---	PS	---
Comando Pichincha	Dodge	Bus	1964	In use	---	PS	---
Comando Pichincha	Dodge	Bus	1964	In use	---	PS	---
Comando Pichincha	Dodge	Bus	1964	In use	---	PS	---
Comando Pichincha	Dodge	Truck	1964	---	Auctioned	PS	---
Comando Pichincha	Dodge	Truck	1964	---	Auctioned	PS	---
Comando Pichincha	Dodge	Truck	1964	In use	---	---	GOE
Comando Pichincha	Dodge	Motor-van	1962	In use	---	PS	---
Comando Pichincha	Dodge	Panel	1959	In use	---	PS	---

<u>Distribution</u>	<u>Make</u>	<u>Type</u>	<u>Year</u>	<u>In use</u>	<u>Auctioned</u>	<u>Donated by</u>	
						<u>PS</u>	<u>GOE</u>
Comando Pichincha	Dodge	Wrecker	1964	In use	---	PS	---
Comando Pichincha	Ford	Motor-van	1960	in use	---	PS	---
Comando Pichincha	Ford	Carryall	1959	In use	---	---	GOE
Comando Pichincha	Ford	Panel	1962	---	Auctioned	PS	---
Comando Pichincha	Ford	Panel	1963	---	Auctioned	PS	---
Comando Pichincha	Ford	Panel	1964	---	Auctioned	PS	---
Comando Pichincha	Ford	Panel	1964	---	Auctioned	PS	---
Comando Pichincha	Ford	Suburban	1961	---	Auctioned	PS	---
Comando Pichincha	Ford	Panel	1964	In use	---	PS	---
Comando Pichincha	Nissan	Jeep	1959	In use	---	---	GOE
Comando Pichincha	Nissan	Jeep	1959	In use	---	---	GOE
Comando Pichincha	Nissan	Jeep	1959	In use	---	---	GOE
Comando Pichincha	Nissan	Jeep	1959	In use	---	---	GOE
Comando Pichincha	Nissan	Jeep	1959	In use	---	---	GOE
Comando Pichincha	Nissan	Jeep	1959	In use	---	---	GOE
Comando Pichincha	Nissan	Jeep	1959	In use	---	---	GOE
Comando Pichincha	Nissan	Jeep	1959	In use	---	---	GOE
Comando Pichincha	Plymouth	Automobile	1962	In use	---	---	GOE
Comando Pichincha	Plymouth	Automobile	1962	In use	---	---	GOE
Comando Pichincha	Studebaker	Bus	1957	In use	---	---	GOE
Comando Pichincha	Willys	Jeep	1954	---	Auctioned	PS	---
Comando Pichincha	Willys	Jeep	1954	---	Auctioned	PS	---
Comando Pichincha	Willys	Jeep	1954	In use	---	PS	---
Comando Pichincha	Willys	Jeep	1954	In use	---	PS	---
Comando Pichincha	Willys	Jeep	1954	In use	---	PS	---
Comando Pichincha	Willys	Jeep	1954	In use	---	PS	---

<u>Distribution</u>	<u>Make</u>	<u>Type</u>	<u>Year</u>	<u>In use</u>	<u>Auctioned</u>	<u>Donated by</u>	
						<u>PS</u>	<u>GOE</u>
Comando Pichincha	Willys	Jeep	1954	In use	---	PS	---
Comando Pichincha	Willys	Jeep	1954	In use	---	---	GOE
Comando Pichincha	Willys	Jeep	1954	In use	---	PS	---
Comando Pichincha	Willys	Jeep	1954	In use	---	PS	---
Comando Pichincha	Willys	Jeep	1954	In use	---	PS	---
Comando Pichincha	Willys	Jeep	1954	In use	---	PS	---
Comando Pichincha	Willys	Jeep	1954	In use	---	---	GOE
Comando Pichincha	Willys	Jeep	1954	In use	---	---	GOE
Comando Guayas	Chevrolet	Automobile	1957	In use	---	PS	---
Comando Guayas	Chevrolet	Automobile	1957	In use	---	PS	---
Comando Guayas	Chevrolet	Automobile	1957	In use	---	PS	---
Comando Guayas	Chevrolet	Automobile	1957	In use	---	PS	---
Comando Guayas	Chevrolet	Automobile	1957	In use	---	PS	---
Comando Guayas	Chevrolet	Panel	1964	In use	---	PS	---
Comando Guayas	Chevrolet	Panel	1964	In use	---	PS	---
Comando Guayas	Chevrolet	Panel	1964	In use	---	PS	---
Comando Guayas	Chevrolet	Panel	1964	In use	---	PS	---
Comando Guayas	Chevrolet	Panel	1962	In use	---	PS	---
Comando Guayas	Chevrolet	Panel	1962	In use	---	PS	---
Comando Guayas	Chevrolet	Panel	1962	In use	---	PS	---
Comando Guayas	Chevrolet	Panel	1962	---	Auctioned	PS	---
Comando Guayas	Chevrolet	Panel	1962	---	Auctioned	PS	---
Comando Guayas	Chevrolet	Pick-up	1963	In use	---	PS	---

<u>Distribution</u>	<u>Make</u>	<u>Type</u>	<u>Year</u>	<u>In use</u>	<u>Auctioned</u>	<u>Donated by</u>	
						<u>PS</u>	<u>GOE</u>
Comando Guayas	Chevrolet	Pick-up	1962	In use	—	PS	—
Comando Guayas	Chevrolet	Pick-up	1962	In use	—	PS	—
Comando Guayas	Chevrolet	Pick-up	1961	In use	—	PS	—
Comando Guayas	Chevrolet	Pick-up	1961	In use	—	PS	—
Comando Guayas	Chevrolet	Pick-up	1961	In use	—	PS	—
Comando Guayas	Chevrolet	Pick-up	1959	In use	—	PS	—
Comando Guayas	Chevrolet	Pick-up	1958	In use	—	PS	—
Comando Guayas	Chevrolet	Wrecker	1964	In use	—	PS	—
Comando Guayas	Chevrolet	Bus	1964	In use	—	PS	—
Comando Guayas	Chevrolet	Bus	1964	In use	—	PS	—
Comando Guayas	Dodge	Truck	1964	In use	—	PS	—
Comando Guayas	Dodge	Truck	1964	In use	—	PS	—
Comando Guayas	Dodge	Truck	1964	In use	—	PS	—
Comando Guayas	Dodge	Panel	1961	—	Auctioned	PS	—
Comando Guayas	Dodge	Pick-up	1962	In use	—	PS	—
Comando Guayas	Dodge	Ambulance	1954	In use	—	PS	—
Comando Guayas	Fageol	Bus	1956	In use	—	PS	—
Comando Guayas	Fageol	Bus	1956	In use	—	PS	—
Comando Guayas	Ford	Automobile	1962	In use	—	—	GOE
Comando Guayas	Ford	Automobile	1962	—	Auctioned	—	GOE
Comando Guayas	Ford	Panel	1964	—	Auctioned	PS	—
Comando Guayas	Ford	Panel	1964	—	Auctioned	PS	—
Comando Guayas	Ford	Panel	1964	—	Auctioned	PS	—
Comando Guayas	Ford	Station wagon	1964	In use	—	PS	—
Comando Guayas	GMC	Pick-up	1961	—	Auctioned	—	GOE

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<u>Distribution</u>	<u>Make</u>	<u>Type</u>	<u>Year</u>	<u>In use</u>	<u>Auctioned</u>	<u>Donated by</u>	
						<u>PS</u>	<u>GOE</u>
Comando Guayas	Nissan	Jeep	1959	---	Auctioned	---	GOE
Comando Guayas	Plymouth	Automobile	1963	In use	---	---	GOE
Comando Guayas	Plymouth	Automobile	1963	---	Auctioned	---	GOE
Comando Guayas	Plymouth	Automobile	1963	---	Auctioned	---	GOE
Comando Guayas	Plymouth	Automobile	1963	---	Auctioned	---	GOE
Comando Guayas	Plymouth	Automobile	1963	---	Auctioned	---	GOE
Comando Guayas	Plymouth	Automobile	1963	In use	---	---	GOE
Comando Guayas	Plymouth	Automobile	1963	---	Auctioned	---	GOE
Comando Guayas	Plymouth	Automobile	1963	---	Auctioned	---	GOE
Comando Guayas	Plymouth	Automobile	1963	In use	---	---	GOE
Comando Guayas	Plymouth	Automobile	1963	In use	---	---	GOE
Comando Guayas	Willys	Jeep	1954	In use	---	PS	---
Comando Guayas	Willys	Jeep	1954	---	Auctioned	PS	---
Comando Guayas	Willys	Jeep	1954	---	Auctioned	PS	---
Comando Guayas	Willys	Jeep	1954	---	Auctioned	---	GOE
Comando Guayas	Willys	Jeep	1954	---	Auctioned	PS	---
Comando Guayas	Willys	Jeep	1954	---	Auctioned	---	GOE
Comando Guayas	Willys	Jeep	1954	---	Auctioned	PS	---
Comando Guayas	Willys	Jeep	1954	?	?	PS	---
Comando Guayas	Willys	Jeep	1954	In use	---	PS	---
Comando Guayas	Willys	Station wagon	1964	---	Auctioned	PS	---
Comando Guayas	Willys	Station wagon	1964	In use	---	PS	---
Comando Guayas	Willys	Station wagon	1964	In use	---	PS	---
Comando Guayas	Willys	Station wagon	1964	In use	---	PS	---



Distribution	Make	Type	Year	In use	Auctioned	Donated by	
						PS	GOE
Comando Chimborazo	Chevrolet	Pick-up	1959	In use	---	PS	---
Comando Chimborazo	Dodge	Truck	1964	In use	---	PS	---
Comando Chimborazo	Dodge	Truck	1964	In use	---	PS	---
Comando Chimborazo	Dodge	Panel	1961	In use	---	PS	---
Comando Chimborazo	Ford	Pick-up	1959	In use	---	PS	---
Comando Chimborazo	Willys	Jeep	1954	---	Auctioned	PS	---
Comando Azuay	Chevrolet	Motor-van	1960	In use	---	PS	---
Comando Azuay	Chevrolet	Pick-up	1961	---	Auctioned	PS	---
Comando Azuay	Chevrolet	Pick-up	1959	In use	---	PS	---
Comando Azuay	Chevrolet	Pick-up	1961	In use	---	PS	---
Comando Azuay	Chevrolet	Wiccker	1964	In use	---	PS	---
Comando Azuay	Dodge	Truck	1964	In use	---	PS	---
Comando Azuay	Dodge	Panel	1961	In use	---	PS	---
Comando Azuay	Dodge	Panel	1961	In use	---	PS	---
Comando Azuay	Ford	Pick-up	1958	In use	---	PS	---
Comando Azuay	GMC	Pick-up	1960	In use	---	PS	---
Comando Azuay	Land Rover	Jeep	1961	---	Auctioned	---	GOE
Comando Azuay	Land Rover	Jeep	1961	---	Auctioned	---	GOE
Comando Azuay	Land Rover	Jeep	1961	---	Auctioned	---	GOE
Comando Azuay	Nissan	Jeep	1959	---	Auctioned	---	GOE
Comando Azuay	Willys	Jeep	1954	In use	---	---	GOE
Comando Loja	Chevrolet	Carryall	1964	In use	---	PS	---
Comando Loja	Dodge	Truck	1964	In use	---	PS	---

Distribution	Make	Type	Year	In use	Auctioned	Donated by	
						PS	GOE
Comando Loja	Nissan	Jeep	1959	In use	---	---	GOE
Comando Loja	Nissan	Jeep	1959	---	Auctioned	---	GOE
Comando Loja	Willys	Station wagon	1964	In use	---	---	GOE
Comando Los Rios	Chevrolet	Carryall					
Comando Los Rios	Chevrolet	Wrecker	1964	In use	---	PS	---
Comando Los Rios	Dodge	Truck	1964	In use	---	PS	---
Comando Los Rios	Dodge	Truck	1964	In use	---	PS	---
Comando Los Rios	Nissan	Jeep	1959	---	Auctioned	---	GOE
Comando Los Rios	Nissan	Jeep	1959	---	Auctioned	---	GOE
Comando Tungurahua	Chevrolet	Motor-van	1960	In use	---	---	GOE
Comando Tungurahua	Chevrolet	Wrecker	1963	In use	---	PS	---
Comando Tungurahua	Dodge	Truck	1964	In use	---	PS	---
Comando Tungurahua	Ford	Pick-up	1961	---	Auctioned	PS	---
Comando Tungurahua	Nissan	Jeep	1959	In use	---	---	GOE
Comando Tungurahua	Willys	Jeep	1954	In use	---	---	GOE
Comando Tungurahua	Willys	Jeep	1954	In use	---	PS	---
Comando Tungurahua	Willys	Jeep	1954	In use	---	PS	---
Comando Tungurahua	Willys	Jeep	1954	In use	---	PS	---
Comando Carchi	Chevrolet	Pickup	1961	In use	---	PS	---
Comando Carchi	Chevrolet	Pickup	1961	In use	---	PS	---
Comando Carchi	Dodge	Truck	1964	In use	---	PS	---
Comando Carchi	Nissan	Jeep	1959	In use	---	---	GOE
Comando Carchi	Willys	Jeep	1954	---	Auctioned	PS	---

<u>Distribution</u>	<u>Make</u>	<u>Type</u>	<u>Year</u>	<u>In use</u>	<u>Auctioned</u>	<u>Donated by</u>	
						<u>PS</u>	<u>GOE</u>
Comando Carchi	Willys	Station wagon	1964	In use	---	PS	---
Comando Carchi	Willys	Station wagon	1964	In use	---	PS	---
Comando Bolivar	Nissan	Jeep	1959	In use	---	---	GOE
Comando Bolivar	Willys	Jeep	1954	In use	---	---	GOE
Comando Bolivar	Willys	Station wagon	1945	In use	---	PS	---
Comando Imbabura	Chevrolet	Pickup	1959	In use	---	PS	---
Comando Imbabura	Nissan	Jeep	1959	In use	---	---	GOE
Comando Imbabura	Willys	Jeep	1953	In use	---	PS	---
Comando Imbabura	Willys	Station wagon	1953	In use	---	PS	---
Comando Cotopaxi	Chevrolet	Pickup	1958	In use	---	PS	---
Comando Cotopaxi	Nissan	Jeep	1959	In use	---	---	GOE
Comando Cotopaxi	Willys	Jeep	1954	In use	---	PS	---
Comando Cotopaxi	Willys	Station wagon	1963	In use	---	PS	---
Comando Esmeraldas	Chevrolet	Carryall	1964	In use	---	PS	---
Comando Esmeraldas	Chevrolet	Pickup	1961	---	Auctioned	PS	---
Comando Esmeraldas	Dodge	Truck	1964	In use	---	PS	---
Comando Esmeraldas	Nissan	Jeep	1959	In use	---	---	GOE
Comando Esmeraldas	Nissan	Jeep	1959	In use	---	---	GOE
Comando Esmeraldas	Willys	Jeep	1954	In use	---	---	GOE
Comando Esmeraldas	Willys	Jeep	1954	In use	---	---	GOE
Comando Esmeraldas	Willys	Station wagon	1963	In use	---	PS	---
Comando Esmeraldas	Willys	Station wagon	1963	In use	---	PS	---
Comando Esmeraldas	Willys	Station wagon	1963	In use	---	PS	---
Comando Canar	Nissan	Jeep	1959	In use	---	---	GOE
Comando Canar	Willys	Station wagon	1963	In use	---	PS	---

VEHICULOS DE LA POLICIA NACIONAL

UNIDAD	# de Vehiculos	EN USO	Inservibles	REMATADOS INEXISTENTES	TOTAL
Comandancia General	33	27	00	6	27
Instituto Nacional	12	10	1	1	10
Escuela Las Penas	5	4	1		4
PICHINCHA N° 1					55
Servicio Urbano	38	24	6	8	
Servicio Transito	21	18	1	Rematados 2	
Invest. Criminal	8	8			
Servicio Rural	6	5		1	
ESMERALDAS N° 14					12
Servicio Urbano	4	3		1	
Servicio Transito	2	2			
Invest. Criminal	1	1			
Servicio Rural	7	6		Rematados 1	
CARCHI N° 10					6
Servicio Urbano	4	3	1		
Invest. Criminal	1	1			
Servicio Rural	2	2			
IMBABURA N° 12					5
Servicio Urbano	4	4			
Servicio Transito	1	1			
COTOPAXI N° 13					3
Servicio Urbano	1	1			
Servicio Transito	1	0	1		
Invest Criminal	1	1			
Servicio Rural	1	1			
TUNGURAHUA N° 9					9
Servicio Urbano	4	4			
Servicio Transito	3	2	1		
Invest Criminal	2	1	1		
Servicio Rural	2	2			

UNIDAD	# de Vehiculos	EN USO	Inservibles	REMATADOS INEXISTENTES	TOTAL
CHIMBORAZO N° 5					7
Servicio Urbano	8	7	1		
Invest. Criminal *	1	0	1		
BOLIVAR N° 11					3
Servicio Urbano	1	1			
Servicio Transito	1	1			
Invest. Criminal	1	1			
PASTAZO N° 16					1
Servicio Urbano	1	1			
AZUAY N° 6					15
Servicio Urbano	14	9	5		
Servicio Rural	1	1			
Invest. Criminal	1	1			
Servicio Transito	1	1			
Investigaciones	1	1			
Comando	2	2			
LOJA N° 7					5
Servicio Urbano	3	2		1	
Servicio Rural	2	2			
Invest. Criminal	1	1			
CANAR N° 15					2
Servicio Urbano	1	1			
Invest. Criminal	1	1			
ZAMORA N° 18					1
Servicio Urbano	1	1			
MANABI N° 4					21
Servicio Urbano	6	6			
Invest. Criminal	2	2			
Servicio Transito	4	4			
Servicio Rural	9	9			

UNIDAD	# de Vehiculos	EN USO	Inscribles	REMATADOS INEXISTENTES	TOTAL
GUAYAS N° 2					54
Servicio Urbano	52	41	11		
Servicio Rural	8	5	3		
Invest. Criminal	8	7	1		
Comando	1	1			
LOS RIOS N° 8					6
Servicio Urbano	3	2	1		
Servicio Rural	5	4		1	
EL ORO N° 3					6
Servicio Urbano	5	2	3		
Servicio Rural	2	2			
Invest. Criminal	1	1			
Servicio Transito	1	1			
	312	252	38	22	252

## ANNEX M

REPORT OF CRIMINAL ARRESTS 1957-1968  
 ECUADOR NATIONAL CIVIL POLICE  
 CRIMINAL INVESTIGATION SERVICE

Province	1957			1958			1959		
	Men	Women	Total	Men	Women	Total	Men	Women	Total
CARCHI	641	105	746	606	128	734	379	62	441
IMBABURA	258	18	276	461	85	546	780	108	888
PICHINCHA	3,000	608	3,608	3,089	663	3,752	3,333	594	3,927
COTOPAXI	799	184	983	1,214	289	1,503	1,159	268	1,427
TUNGURAHUA	934	158	1,092	1,754	346	2,100	1,556	297	1,853
CHIMBORAZO	836	128	964	1,076	146	1,222	774	99	873
BOLIVAR	564	68	632	554	58	612	612	54	666
CANAR	413	61	474	919	150	1,069	982	150	1,132
AZUAY	1,198	40	1,238	1,051	48	1,099	863	24	887
LOJA	791	87	878	1,016	111	1,127	1,181	159	1,340
EL ORO	612	13	625	844	35	879	723	18	741
GUAYAS	10,724	801	11,525	14,713	1,286	15,999	11,267	1,030	12,297
LOS RIOS	1,171	39	1,210	1,246	82	1,328	1,218	58	1,276
MANABI	504	26	530	786	20	806	890	46	936
ESMERALDAS	1,164	82	1,246	1,653	122	1,775	769	65	834
TOTAL	23,609	2,418	26,027	30,982	3,569	34,551	26,486	3,032	29,518

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REPORT OF CRIMINAL ARRESTS 1957-1968 (Cont'd)

	1960			1961			1962		
	Men	Women	Total	Men	Women	Total	Men	Women	Total
CARCHI	489	75	564	767	176	943	522	143	665
IMBABURA	410	36	446	586	81	667	521	55	576
PICHINCHA	6,325	806	7,131	8,909	930	9,839	6,920	1,142	8,062
COTOPAXI	1,056	249	1,305	1,258	244	1,502	1,280	218	1,498
TUNGURAHUA	2,334	375	2,709	2,334	435	2,769	2,870	420	3,290
CHIMBORAZO	1,903	319	2,222	3,075	587	3,662	2,616	533	3,149
BOLIVAR	735	67	802	737	65	802	538	56	594
CANAR	680	78	758	649	88	737	367	32	399
AZUAY	803	12	815	1,360	69	1,429	2,304	275	2,579
LOJA	1,055	120	1,175	1,126	112	1,238	1,001	150	1,151
EL ORO	1,601	81	1,682	1,793	88	1,881	2,390	118	2,508
GUAYAS	9,122	984	10,106	11,140	1,484	12,624	9,843	659	10,508
LOS RIOS	1,370	78	1,448	1,619	76	1,695	1,221	67	1,288
MANABI	469	18	487	1,285	54	1,339	1,131	32	1,163
ESMERALDAS	809	59	868	2,129	311	2,440	1,537	158	1,695
TOTAL	29,661	3,357	33,018	38,767	4,800	43,567	35,061	4,058	39,119

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REPORT OF CRIMINAL ARRESTS 1957-1968 (Cont'd)

	1963			1964			1965		
	Men	Women	Total	Men	Women	Total	Men	Women	Total
CARCHI	690	121	811	617	111	728	617	103	720
IMBABURA	487	46	533	1,653	272	1,925	1,139	197	1,336
PICHINCHA	5,091	851	5,942	5,345	941	6,286	3,049	670	3,719
COTOPAXI	1,389	270	1,659	1,756	318	2,074	1,568	371	1,939
TUNGURAHUA	2,637	419	3,056	2,604	390	2,994	3,592	737	4,329
CHIMBORAZO	2,302	388	2,690	1,900	433	2,333	2,113	473	2,586
BOLIVAR	683	65	748	1,511	167	1,678	1,251	179	1,430
CAÑAR	417	29	446	831	100	931	1,144	188	1,332
AZUAY	2,769	333	3,102	2,673	405	3,078	2,597	392	2,989
LOJA	1,366	172	1,538	2,024	241	2,265	1,580	295	1,875
EL ORO	2,789	134	2,923	2,692	198	2,890	2,673	109	2,787
GUAYAS	10,155	988	11,143	8,263	815	9,078	13,076	1,181	14,257
LOS RIOS	1,338	99	1,437	1,462	91	1,553	2,547	185	2,732
MANABI	1,313	52	1,365	1,271	39	1,310	1,206	67	1,273
ESMERALDAS	955	115	1,070	1,244	161	1,405	1,387	151	1,538
NAPO	-	-	-	-	-	-	201	21	222
ZAMORA CH.	-	-	-	-	-	-	194	2	196
TOTAL	34,381	4,082	38,463	35,846	4,682	40,528	39,939	5,321	45,260

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REPORT OF CRIMINAL ARRESTS 1957-1968 (Cont'd)

	1966			1967			1968		
	Men	Women	Total	Men	Women	Total	Men	Women	Total
CARCHI	658	98	746	404	50	454	212	61	273
IMBABURA	1,084	206	1,290	1,279	181	1,460	1,158	185	1,343
PINCHINCHA	4,602	895	5,497	3,900	725	4,625	3,260	584	3,844
COTOPAXI	1,461	330	1,791	1,385	245	1,630	1,240	241	1,481
TUNGURAHUA	4,949	1,014	5,963	4,830	1,031	5,861	4,766	962	5,728
CHIMBORAZO	1,836	332	2,168	1,642	340	1,982	1,605	287	1,842
BOLIVAR	1,089	187	1,276	1,167	180	1,347	1,075	179	1,254
CANAR	1,143	199	1,342	1,146	153	1,299	1,178	231	1,409
AZUAY	2,507	291	2,798	3,190	295	3,485	3,130	305	3,435
LOJA	1,374	207	1,581	1,347	229	1,576	1,944	290	2,234
EL ORO	3,346	207	3,553	2,914	131	3,045	1,742	136	1,885
GUAYAS	16,780	1,586	18,366	14,418	1,118	15,536	14,423	905	15,328
LOS RIOS	2,515	176	2,691	1,339	82	1,421	743	42	785
MANABI	1,961	73	2,034	3,284	171	3,455	1,969	89	2,058
ESMERALDAS	1,783	226	2,009	1,739	196	1,935	1,505	151	1,656
NAPO	116	8	124	144	11	155	93	5	98
PASTAZA	350	29	379	472	48	520	270	30	300
ZAMORA CH.	78	2	80	99	1	100	116	6	122
TOTAL	47,627	6,061	53,688	44,699	5,187	49,886	40,436	4,639	45,075

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## ANNEX N

## TERMS OF REFERENCE

The following terms of reference was suggested to the field in State cable 141748 on August 21, 1969:

"1. Purpose of study is to review Ecuador Public Safety program and its appropriateness as instrument for strengthening internal security and stability in Ecuador within context of U.S. interests in country. Study will assess capabilities of national police facilities with recommendations for improvement and Ecuadoran plans for role U.S. assistance. Study will also assess need for future U.S. assistance to country's national police and recommend scope and dimensions.

2. To make this assessment, the study will embrace:

A. Review of C.T.'s assessment of current and anticipated threat to internal security.

B. Evaluation of abilities of national police to carry out their assigned mission. Will include, but not necessarily be limited to: assigned roles, administration, organization, budget, personnel strengths and systems, deployment, operations, training systems, communications, mobility, maintenance capabilities.

C. Examination of objectives of Public Safety program and evaluation will be made of utilization of project resources such as technical assistance, commodity input and participant training.

3. Study will also consider role of Public Safety program as related to whole of U.S. objectives in Ecuador and programs designed to carry out objectives.

4. Police expert will consult with members of country team and with appropriate members of national police. Travel to various parts of country may be required.

5. The USAID will be requested to provide, as required, transportation, both inter and intra-city office accommodations and secretarial assistance.

6. Written report will be submitted for country team comments. Info as to findings will not be transmitted to GOE prior to Washington approval."

During the survey and at the request of local authorities, it was decided to include the Customs Police.

## XII. REFERENCES

1. Amembassy, QUITO A-501 dated June 21, 1967.
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3. Defense Intelligence Agency, Counterinsurgency Capabilities of Foreign Forces, Ecuador, April 1, 1967.
4. Report of the Excellentisims Corte Suprema de Justicia de la Republic al Congreso Ordinana de 1969. - Quito, Ecuador, 1969.
5. The Problem of Land Invasions - Camacho, Carlos memo to Mr. Charles S. Blankstein, Development Loan Officer, USAID/Quito, June 10, 1969.
6. National Intelligence Survey (NIS), Central Intelligence Agency, 1968.
7. Report on the National Police Forces of the Republic of Ecuador - Robert K. Thierry and Robert J. Weatherwax. International Coop. Assn., Washington, D.C. 1959.
8. A Report on the Rural Police Division, National Police of Ecuador. USAID Ecuador, April 1967. Bryan L. Quick.
9. USAID Fact Book on Ecuador - 1969, USAID/QUITO, 1969.
10. Nikon, Jack, "Effects of U.S. Assistance to the Ecuadorian Customs Police and Customs Administration," USAID/Quito, 1969.

DECRETO No. 1

*Proyecto:*

DE LA LEY DE PERSONAL DE LA POLICIA DE ADUANA DEL ECUADOR

TITULO I

*GENERALIDADES*

- Art. 1.- La presente Ley tiene por objeto regular la canera profesional y garantizar la estabilidad institucional de los miembros de la Policia de Aduana, propendiendo a su perfeccio namiento y superación.
- Art. 2.- Pertenecen a la Policia de Aduana el Personal que una vez cumplidas las formalidades legales que se establecen en la presente ley, ha ya merecido su ubicación en el Escalafón General de la Policia de Aduana. Los Técnicos y Personal de Servicios que ingresen a la Policia de Aduana, serán considerados en sus respectivos Esclafones.

TITULO II

*DE LA CLASIFICACION DEL PERSONAL*

- Art. 3.- En razón de jerarquía se clasidicanán:
- OFICIALES SUPERIORES:  
Prefecto Jefe  
Prefecto; y,  
Subprefecto
- OFICIALES SUBALTERNOS:  
Inspector  
Subinspector Primero  
Subinspector Segundo
- ASPIRANTES A OFICILES  
Alumnos de la Escuela de Capacitación y Reclutamiento.
- PERSONAL DE TROPA:  
Suboficial Primero  
Suboficial Segundo  
Sargento Primero  
Sargento Segundo  
Cabo Primero

Cabo Segundo

Policia

ASPIRANTES A TROPA:

Alumnos de la Escuela de Capacitación Reclutamiento.

- Art. 4.- Los aspirantes a Subinspector Segundo, serán iós ciudadanos que hayan sido calificados y aceptados como alumnos en la Escuela de Capacitación y Reclutamiento de la Policia de Aduana, previo el cumplimiento de los requisitos exigidos para este fin, tanto en la Ley como en los Regiamentos pertinentes.
- Art. 5.- En razón de sus funciones, el Personal de Oficiales y Tropa son: de linea, Técnicos, de Servicios y Personal Civil Contratado.
- a) De Linea: Los profesionaesl cuyo reclutamiento se haya realizado en los respectivos cursos basicos.
  - b) Personal Técnico: Es aquel que ha sido incorporados en forma reglamenaria en virtud de haber efectuado cursos de esta naturaleza con fines aduaneros.
  - c) Personal de Servicios: Comprende a los miembros de la Policia de Aduana que han eido incorporados para cumplir funciones especificas. En esta denominación constarán ioe Servicio Administrativos.
  - d) Personal Civil Contrado: Es aquel que cumple funciones técnicas o de asesoramiento en actividades especificos por tiempo limitado, previo contrato con el Ministerio de Finanzas a petición del Comandante General
- Art. 6.- JERAROUIA, es el orden de las graduaciones obtenidas bajo las regulaciones legales. GRADO, es la denominación dada a cada uno de los escalones jerárquicos y se otorga:
- a) A los Prefectos Jefes, Prefectos, Subprefectos, Inspectores y Subinspectores, por Acuerdo Ministerial.
  - b) Al Personal de Tropa, a pedido de la Comandancia General de la Policia de Aduana, por Acuerdo Ministerial; y,
  - c) Al Personal de Técnicos y de Servicios, a pedido de la Comandancia General, por Acuerdo Ministerial.

### TITULO III

#### DE LA SUPERIORIDAD:

- Art. 7.- LA SUPERIORIDAD, en la Policia de Aduana, de determinará en razón de la jerarquía y de la antigüedad.
- SUPERIORIDAD JERARQUICA, es la que tiene un miembro de la Institución con respecto a otro del mismo grado, y la antigüedad se establece:
- a) Por el mayor tiempo de servicio activo y efectivo en el grado, y
  - b) En igualdad de tiempo de servicio en el grado, por la antigüedad en el grado inmediato inferior.

Entre los miembros de la Policia de Aduana en igualdad jerarquica, tendrán precedencia en el mando los miembros de Linea sobre los Tecnicos y éstos sobre los de Servicios.

### TITULO IV

#### EL MANDO

- Art. 8.- EL MANDO, se ejerce de acuerdo con los deberes y atribuciones asignadas por las Leyes y reglamentos que norman a cada cargo o empleo.
- Art. 9.- EL CARGO O EMPLEO: es la ubicación orgánica para el ejercicio de funciones específicas asignadas, siendo éstas de tres clases:
- a) Titular
  - b) Interino; y,
  - c) Accidental
- Art. 10.- TITULAR, es el que ejerce un cargo por designación sin periodo fin o por el que determine la Ley.
- INTERINO, es el que ejerce una función por designación temporal hasta que se designe el Titular.
- ACCIDENTAL, es el que ejerce una función autentica transitoriamente, por ausencia del Titular o interino.
- El cargo de accidental tendrá una duración máxima de treinta días; si transcurriendo as te tiempo subsiste la ausencia por impedimento legal del Comandante Titular o Interino,

previo el trámite correspondiente se precederá a efectuar la respectiva designación.

- Art. 11.- Las funciones titulares o interinas, serán confiadas a los miembros de la institución de acuerdo a la distribución orgánica, previa orden del Comandante General. la misma será publicada en la Orden General de la Comandancia. Exceptuándose de la anterior disposición los cargos de Comandante General y Subcomandante.

## TITULO V

### *DEL RECLUTAMIENTO:*

Art. 12.- Los aspirantes a los grados de Subinspector y Policía, serán reclutados, previo el cumplimiento de las formalidades legales y reglamentarias, en la Escuela de Capacitación y Reclutamiento de la Policía de Aduana; una vez aprobados los cursos, la antigüedad será reconocida por los cómputos finales obtenidos en sus estudios.

Art. 13.- El Personal Técnico de Oficiales y Tropa de la Policía de Aduana, serán reclutados de aquellos profesionales civiles que acrediten su especialización o del mismo Personal de Oficiales y Tropa de la Institución que hubieren recibido cursos de especialización en instituciones nacionales o extranjeras.

Art. 14.- Los Oficiales y Tropa de Servicios, se reclutarán del elemento civil que justifique mediante documentos la capacidad para el desempeño de tal o cual función inherente al servicio, o del mismo Personal de la institución que reúna tales requisitos.

## TITULO VI

### *DE LA SITUACION PROFESIONAL:*

Art. 15.- La situación profesional de los miembros de la Policía de Aduana, es la condición jurídica establecida por las Leyes y Reglamentos vigentes de la institución.

Art. 16.- Para los Oficiales y Tropa, la situación Profesional comprende:

- a) De Actividad
- b) De Transitoria; y,
- c) De Retiro.

Art. 17.- Para los alumnos de la Escuela de Capacitación tanto en los aspirantes como en los aspirantes a Tropa, la Situación Profesional comprenderá únicamente la Actividad.

Art. 18.- La Situación Profesional será determinada así:

- a) Para oficiales y aspirantes, Por acuerdo -- Ministerial.
- b) Para el Personal de Tropa, por disposición de la Comandancia General, previo informe del Departamento de Personal de la Institución.

## TITULO VII

### DE LA ACTIVIDAD:

Art. 19.- ACTIVIDAD, es la situación en la cual los miembros de la Institución desempeñan funciones en la Policía de Aduana, con las atribuciones y deberes correspondientes a sus grados y cargos o en comisiones del servicio aduanero.

Art. 20.- También se hallan en Situación de Actividad los miembros de la Institución comprendidos en los siguientes casos;

- a) Enfermedad contraída en la Institución, debidamente comprobada;
- b) Comisión de Servicio
- c) Licencia temporal; y,
- d) Desaparecimiento.

Art. 21.- El Personal de Policía de Aduana tiene derecho a permanecer en Situación de actividad y a ocupar los cargos correspondientes a sus grados, por lo tanto, no podrán ser colocados en otra situación, sino por las causas y en la forma que determina la presente Ley.

Cuando se quebrantare la situación anterior, los miembros de la Institución Policial Aduanera, podrán presentar su reclamo directamente al Consejo Superior de la Policía de Aduana.

## TITULO VIII

### DE TRANSITORIA:

Art. 22.- SITUACION TRANSITORIA, es aquella que pone al miembro de la Institución, sin mando y sin

caigo dentro de la planta orgánica de la Policía de Aduana.

Art. 23.- Los miembros de la Institución Policial Aduanera, no podrán ser puestos en Situación Transitoria, sino en estos casos:

- a) Por solicitarla voluntariamente,
- b) Por estar comprendido en los límites de edad,
- c) Por haber completado el tiempo de servicio máximo para el retiro.
- d) Por estar comprendido dentro de la alicuota de eliminación anual;
- e) Por incapacidad física o mental, y,
- f) Por haberse dictado en su contra auto motivado o llamamiento a juicio, y siempre que se halle ejecutoriado.

Art. 24.- La situación transitoria, por las causas previstas en los literales a), b), c), d) y e) del artículo anterior, tendrá una duración de seis meses para los Oficiales y Tropa, siempre y cuando tengan a su favor un mínimo de cuatro años de servicio activo y efectivo en la Institución, respectivamente, y, un mes para Oficiales y Tropa sino tuvieran el tiempo indicado, pero sí, más de un año de servicio en la Institución Policial Aduanera.

Art. 25.- Si contra un miembro de la Institución Policial Aduanera, se hubiere dictado auto motivado, será colocado en Situación Transitoria, siempre que se halle ejecutoriado y, mientras dure el proceso.

De dictarse sentencia condenatoria y que se encuentre ejecutoriada, será separado definitivamente de la Institución Policial Aduanera. Si se hubiere dictado sentencia absolutoria a su favor, volverá a la Situación de Actividad, abonándosele la antigüedad más los sueldos y emolumentos vencidos.

Art. 26.- Los miembros de la Institución Policial Aduanera colocados en Situación Transitoria, tendrán derecho a todas las asignaciones correspondientes a su Grado en servicio activo.

Art. 27.- A ningún miembro de la Institución colocado en situación transitoria, se le podrá ascender ni se le permitirá el uso del uniforme. Igualmente no se podrá confiar ninguna comisión de servicio, ni gozará de las atribuciones correlativas al servicio activo.

Art. 28.- El tiempo de Situación Transitoria, es computable para efectos de montepío y retiro, pero no para efectos de antigüedad y ascenso.

Art. 29.- Los Oficiales y Tropa que creyeren que su Situación Transitoria es ilegal, podrán recurrir con su reclamo ante el Consejo Superior por una sola vez.

Art. 30.- Las solicitudes para la obtención de Transitoria y Baja (voluntaria), tanto de Oficiales como del personal de Tropa, podrán ser negadas únicamente en los siguientes casos:

- a) Cuando el solicitante esté o vaya a estar enjuiciado penalmente.
- b) Cuando exista comoción interna o conflicto internacional o inminente peligro de ellos.
- c) Cuando el solicitante no tuviere el tiempo de servicio posterior igual al que duró el curso realizado en el exterior o los estudios efectuados en las Universidades del país, si los hubiere efectuado.

Art. 31.- La Situación Transitoria y Baja de los Oficiales y Tropa de la Institución, será dada mediante Acuerdo Ministerial, previa petición de la Comandancia General.

Art. 32.- Ningún miembro de la Institución que se halla realizando estudios en el exterior podrá ser colocado en Situación Transitoria o dada la Baja, mientras no haya retornado al país.

## TITULO IX

### *DEL RETIRO:*

Art. 33.- RETIRO, es la situación de un miembro de la Institución Policial Aduanera en la que, sin perder su jerarquía ni su carácter profesional, deja de pertenecer a los Cuadros permanentes de la Institución con arreglo a la Ley de Pensiones que se dictará oportunamente.

Art. 34.- La Situación de Retiro se tramitará mediante solicitud escrita dirigida a la Comandancia General y se la otorgará por Acuerdo Ministerial para los Oficiales y Tropa. Esta petición será negada cuando el interesado se halle sometido a juicio penal.

Art. 35.- Los miembros de la Policia de Aduana, serán dados de baja sin pasar por la Situación -- Transitoria o con suspensión de la misma, solamente en estos casos:

- a) Por renuncia escrita del interesado;
- b) Por estar prófugo once días.
- c) Por existir en su contra orden de detención judicial.
- d) Por desaparacimiento por el tiempo máximo de cuatro años. En este caso será dado de baja como si hubiere fallecido en actos del servicio y se otorgará a sus familiares la pensión de montepío y más emolumentos comprendidos en la Ley de Pensiones. En caso de que el presunto fallecido se presentare posteriormente y no justifique la razón de su ausencia, será cancelada la susodicha pensión, obligándosele a devolver los beneficios recibidos sin perjuicio de su acción penal correspondiente, y,
- e) Por fallecimiento.

Art. 36.- Prohibese terminantemente las reincorporaciones para los miembros de la Policia de Aduana

## TITULO X

### DE LOS ASCENSOS (NORMAS GENERALES)

Art. 37.- Los ascensos se concederán a los miembros de la Institución Policial Aduanera, grado por grado, por Acuerdo Ministerial.

Art. 38.- Los ascensos de Oficiales y del Personal de Tropa se efectuarán en cuanto se disponga de vacantes en los grados inmediatos superiores, previo dictamen del Consejo Superior en el caso de Oficiales y del informe del Departamento de Personal en el caso de Tropa.

Art. 39.- Para ascender al inmediato grado superior, los Oficiales deberán cumplir con el siguiente tiempo de servicios en los grados respectivos:

-Subinspector Segundo . . . . .	4 años
-Subinspector Primero. . . . .	4 años
-Inspector . . . . .	5 años
-Subprefecto . . . . .	5 años
-Prefecto . . . . .	4 años

El Reglamento fijará los tiempos de permanencia en los grados del Personal de Tropa.

## TITULO XI ..

DE LA CALIFICACION, PUNTAJE Y SELECCION DEL  
ASCENSO:

Art. 40.- Los ascensos de Oficiales se realizarán por estricto orden de puntaje. El puntaje de ascenso es igual a la suma del puntaje de antigüedad más el de mérito. En igualdad de puntaje de ascenso, será promovido el de mayor mérito, en igualdad de este el que furre mae antiguo en el grado.

Art. 41.- El puntaje de antigüedad; es dado por el servicio activo y efectivo en el grado, en meses completos, más el número al de Oficiales nemos antiguos en el mismo grado.

Art. 42.- El puntaje de mérito es dado por la suma de calificaciones que obtuviere cada Oficial en el grado, completando los siguientes aspectos:

- a) Nota media de conducta,
- b) Nota media de rendimiento de acuerdo a las calificaciones anuales obtenidas por el Oficial;
- c) Notas obtenidas en los exámenes en cada uno de los cursos realizados en el país o en el extranjero;
- d) Notas obtenidas en cada uno de los trabajos escritos; y,
- e) Actos de valor en el servicio institucional

Art. 43.- Todas las calificaciones mencionadas en el artículo anterior, serán sobre VEINTE, de acuerdo con las siguientes calificaciones:

- 20	.....	Sobresaliente
- 19 a 17	.....	Muy Buena
- 16 a 14	.....	Buena
- 13 a 10	.....	Regular
- 9 a 1	.....	Deficiente
- 0	.....	Pésimo.

Art. 44o.- Los Comandantes y Jefes de los respectivos Repartos y Dependencias de la Institución Policial Aduanera, deberán calificar TRIMESTRALMENTE a sus subordinados sobre conducta y rendimiento, siempre y cuando havan permanecido bajo sus órdenes por lo menos treinta dias. Los cuadros al respecto serán enviados al Departamento de Personal de la Comandancia General.

- Art. 45o.- Para la calificación se tomarán en cuenta los castigos y sanciones disciplinarias, al igual que las felicitaciones recibidas por el comportamiento observado en el aspecto institucional, como también fuera de ella.
- Art. 46o.- Las calificaciones, tanto de conducta como las de rendimiento, serán susceptibles de reclamo ante el Consejo Superior de la Institución. Estos reclamos podrán efectuarse solamente dentro del plazo de ocho días contados desde la fecha que se les hizo conocer su cómputo general. Las resoluciones de estos reclamos serán dictadas dentro de igual plazo.
- Art. 47o.- Para que sean tomados en cuenta los cursos realizados en el país como nota de mérito, deberán reunir los siguientes requisitos.
- a) Que las materias dictadas sean de aspecto profesional o tengan relación directa con la Institución Policial Aduanera.
  - b) Que los cursos sean oficialmente organizados y que a su terminación se extiendan los respectivos diplomas o certificados de idoneidad; y,
  - c) Que el curso realizado haya tenido una duración mínima de 350 horas.
- Art. 48o.- La Comandancia General organizará obligatoriamente los cursos de promoción para los grados de: Subinspector Primero, Inspector y Subprefecto en la Escuela de Capacitación y Reclutamiento, debiendo ser designados como alumnos los Oficiales en orden de antigüedad. Así mismo, la Comandancia General organizará cursos de actualización que estime necesarios con cada uno de los grados, tanto en Oficiales como en Tropa, separadamente.
- Art. 49o.- Los miembros de la Policía de Aduana que hayan realizado cursos de promoción y perfeccionamiento, obteniendo calificaciones inferiores a DOCE, perderán el derecho a la asignación de estas notas al puntaje de mérito. No se podrá repetir ningún curso, excepto cuando se haya interrumpido con autorización de la Comandancia General por necesidades de servicio o cuando se haya comprobado que por enfermedad no pudo continuarlo.
- Art. 50o.- Para que los cursos realizados en el exterior sean tomados en cuenta como nota de mérito, deberán llenar los siguientes requisitos:
- a) Que las materias dictadas sean de aspecto profesional o relacionadas directamente con la Institución Policial Aduanera.

- b) Que la duración curso no sea inferior a 350 horas de labores; y,
- c) Los cursos realizados en el exterior serán calificados por el Consejo Superior aplicándose la escala establecida en el artículo 43 de la presente Ley, debiéndose tomar en cuenta los certificados o diplomas de idoneidad confeccionados por la Institución o Gobierno extranjero donde realizó dicho curso.

Art. 51o.- Los puntajes escritos serán calificados por el Consejo Superior y dos asesores de acuerdo a la materia sobre la que versa el trabajo de conformidad con la escala establecida en el artículo 43.

Art. 52o.- Para que los trabajos escritos sean tomados en cuenta como nota de mérito deberán llenar los siguientes requisitos:

- a) Que sean originales;
- b) Que versen sobre asuntos de aspecto aduanero, o relacionados con la Institución Policial Aduanera.
- c) Que sean considerados por la Comisión respectiva como de utilidad para la Institución; y,
- d) Que su extensión escrita no sea menos de DIEZ MIL PALABRAS.

Art. 53o.- Los actos de valor merecerán la calificación de VEINTE, y para que sean tomados en cuenta como nota de mérito, reunirán los siguientes requisitos:

- a) Que el acto se haya realizado en funciones específicas de servicio;
- b) Que haya existido peligro real o inminente contra su vida;
- c) Que la intervención haya sido inspirada en el cumplimiento del deber o por cualquier otro sentimiento de aspecto altruista; y,
- d) Que su acción y procedimientos haya sido necesario.

Art. 54o.- El superior que conozca de un acto de valor realizado por un subalterno, tiene la obligación de informar inmediatamente al Comandante General, practicando las pruebas necesarias que estime convenientes, para comprobar que se ha tratado de un acto de esta naturaleza, pudiendo en su caso levantar una INFORMACION SUBALTERNAL al respecto.

Art. 55o.- Para ascender a los grados de Prefecto y Prefecto Jefe, será necesario aprobar un trabajo escrito contem-

plando los términos del artículo 52 más las siguientes instrucciones:

- a) Versará sobre un toma escogido por el Oficial de los que la asigne el Consejo Superior, el mismo que deberá aprobar el plan de trabajo con anterioridad a su desarrollo.
- b) Será rechazado el trabajo que no haya sido calificado con el puntaje mínimo de QUINCE.

Art. 56o.- No podrán ascender al grado de Prefecto Jefe, quienes no hayan aprobado los cursos que para el efecto se llevarán a cabo.

Art. 57o.- No podrán ascender al grado de Prefecto, los profesionales de Línea que no hayan cumplido un mínimo de tres años de Comando Distrital.

Art. 58o.- No podrán ascender a los grados de: Subinspector Primero y Subprefecto, sino han aprobado los cursos que cita el artículo 48 de la presente Ley.

Art. 59o.- Las disposiciones de este Capítulo, serán también aplicables para el Personal de Tropa de acuerdo al Reglamento que para el efecto se dictará oportunamente.

Art. 60o.- Los miembros de la Institución, tanto del Personal de Oficiales como de Tropa, que fallecieron en actos del servicio en las circunstancias establecidas en el artículo 53 de la presente Ley, serán ascendidos a su inmediato grado superior, sea cual fuere su ubicación.

Art. 61o.- Apudante y dentro de los primeros treinta días del mes de Enero, el Consejo Superior publicará la nómina de Oficiales y el Departamento de Personal publicará la nómina de Tropa, con los nombres de los miembros en orden de grado y antigüedad y los puntajes que hubieren acreditado hasta el 31 de Diciembre del año anterior. Los miembros de la Institución Policial Aduanera podrán presentar su reclamo ante el Consejo Superior dentro del plazo de quince días de conocida la nómina, considerándose después de este lapso, como definitivas dichas listas.

Art. 62o.- El Consejo Superior se conformará de la siguiente manera:

- a) Por el Subcomandante General y en la falta de éste, por el Oficial de mayor graduación y antigüedad de la Policía de Aduana.
- b) Por el Director de la Oficina de Política Aduanera en representación del Ministerio de Finanzas; y,

c) Por el Jefe del Departamento de Personal de la Policía de Aduana, que con voz y voto, desempeñará el cargo de Secretario.

Art. 63o.- Las atribuciones del Consejo Superior serán todas aquellas que se encuentran determinadas en la presente Ley expresamente.

## TITULO XII

### *DEL INGRESO Y ELIMINACION:*

Art. 64o.- El número de Oficiales que deben egresar anualmente de la Escuela de Capacitación y Reclutamiento, serán determinados por el Consejo Superior cada vez que se modifique la Planta Orgánica o Distributivo de la Institución, sujetándose al índice de ingresos y egresos del Cuadro de Oficiales, según el orgánico, sobre el término medio de los años de servicio necesarios para los retiros máximo y mínimo según la Ley de la materia. En ningún caso podrá egresar un mayor número.

Art. 65o.- Anualmente deberá salir de la Institución igual número de Oficiales de los que egresan de la Escuela, menos el número de plazas que hubieren quedado vacantes de acuerdo con lo previsto en los artículos 23 y 35 de la presente Ley. La diferencia así obtenida se terminará como el NUMERO REAL DE ELIMINACION.

Art. 66o.- El coeficiente de Eliminación en cada grado serán determinados dividiendo el Número Real de Eliminación para el número de grados, de Subinspector Primero a Pfecto Jefe inclusive.

Art. 67o.- De acuerdo con el coeficiente de Eliminación, deberán salir de cada grado, los Oficiales que tengan mayor índice de Eliminación, lo que es igual a CIENTO dividido para el puntaje de mérito de cada Oficial.

Art. 68o.- Si el número de Oficiales eliminados en esta forma fuere inferior al Número Real de Eliminación, deberán salir los Oficiales de cualquier grado que tengan el mayor índice en el respectivo orden, hasta completar ese número.

Art. 69o.- En igualdad de índices de Eliminación, deberán salir los Oficiales que tengan mayor tiempo de servicio en el grado para el retiro inclusive abonos; en igualdad de tiempo de servicio los más antiguos siempre que no fueren ascendidos en la misma fecha; y, si fueren ascendidos en la misma fecha, los menos antiguos.

Art. 70o.- No serán tomados en cuenta para la Eliminación los Subinspectores Segundos. Ningún Oficial debe ser tomado en cuenta para la Eliminación sino después de transcurrido un año de servicio en el grado.

Art. 71o.- Los puntajes por cursos realizados no son válidos para efectos de Eliminación sino cuando todos los Oficiales de una misma jerarquía estén en igualdad de condiciones.

Art. 72o.- Los Oficiales que hubieren cumplido el tiempo de servicio necesario para el retiro máximo exclusivo abonos, deberán obligatoriamente solicitar su retiro.

Art. 73o.- Serán también aplicables las disposiciones de este Título, al Personal de Tropa en sus diversas jerarquías de acuerdo al Reglamento respectivo.

### TITULO XIII

#### *DE LOS PASES Y DESTINACIONES (NORMAS GENERALES)*

Art. 74o.- Las destinaciones y pases de Oficiales se harán mediante Acuerdo Ministerial a pedido de la Comandancia General; y, del Personal de Tropa mediante Orden General de la Comandancia General.

Art. 76o.- Ningún Oficial ni miembro de Tropa, permanecerá más de un año en una destinación o reparto excluyéndose de esta disposición al Personal de Administración y Técnicos.

### TITULO XIV

#### *DE LAS COMISIONES:*

Art. 77o.- Las comisiones de servicio son tareas especiales de aspecto profesional cuyo desempeño confía la Superioridad a los Oficiales y Personal de Tropa de la Institución de servicio activo.

Art. 78o.- Las comisiones podrán ser ordenadas únicamente por:

- a) El Ministerio de Finanzas
- b) El Comandante General
- c) El Comandante de Distrito o Subdistrito, con la obligación de comunicar a la Comandancia General.

Art. 79o.- Las comisiones en el exterior serán ordenadas por Decreto Ejecutivo previo informe del Departamento de Personal y aprobación del Consejo Superior; en el cual se

fijarán las asignaciones correspondientes de conformidad con la Ley y el Reglamento respectivo.

Art. 80o.- Los miembros de la Institución Policial Aduanera declarados en comisión de servicio, tendrán derecho a las respectivas asignaciones de movilización viáticos de conformidad con el Reglamento respectivo.

## TITULO XV

### *DE LAS LICENCIAS Y LOS PERMISOS*

Art. 81o.- Los miembros de la Institución Policial aduanera tienen derecho a gozar anualmente de treinta edias de licencia Temporal.

Art. 82o.- Los miembros de la Institución tienen derecho a permisos hasta por ocho dias sin perjuicio a la Licencia Anual, en los siguientes casos:

- a) Por fallecimiento o enfermedad del cónyuge o parientes comprendidos dentro del tercer grado de consanguinidad y segundo de afinidad.
- b) Por diligencias judiciales o administrativas im - postergables debidamente comprobadas; y,
- c) Por fuerza mayor que afecte a su hogar.

Art. 83o.- Los permisos serán conferidos por la Comandancia General y por los Comandantes de Distritos y Subdistritos, éstos últimos informarán a la Comandancia General.

Art. 84o.- Toda solicitud o reclamo o servará estrictamente el Organó Regular.

Art. 85o.- Los miembros de la Policia de Aduana en servicio pasivo con pensión gozarán de los servicios asistenciales y sociales de la Institución en igualdad de derechos a los que están en servicio activo de conformidad con la reglamentación que regirá en la Institución.

Art. 86o.- Los miembros de la Policia de Aduana tendrán derecho a estentar las condecoraciones que les confiere el Reglamento respectivo de la Institución; y, si éstas fueran otorgadas por otras instituciones de países extranjeros, solicitarán la correspondiente autorización al Consejo Superior de la Institución para usarlas.

TITULO XVI  
DISPOSICIONES GENERALES

- Art. 86o.- El Comandante General de la Policia de Aduana, será de libre nombramiento y remoción del Ministro de Finanzas. El nombramiento recaerá sobre un Oficial General o Superior de las FF. AA. de E. M., en servicio activo o pasivo, mientras la Institución no cuente con un Prefecto Jefe que es el grado que se requiere para esa función.
- Art. 88o.- Los Oficiales y Personal de Tropa graduados en cursos de especialización tendrán prioridad para ocupar los cargos técnicos.
- Art. 89o.- Los Oficiales y Personal de Tropa de la Policia de Aduana, quedan exentos del Servicio Militar y Trabajo Obligatorio en las FF.AA., de conformidad con lo establecido en la Ley de Defense Nacional.
- Art. 90o.- El Personal de Oficiales y Tropa que al momento de expedirse esta Ley, ostenten diferentes grados y jerarquias, serán considerados como si hubieren cumplido con todos los requisitos que al respecto exige la misma, siempre y cuando el Personal de Control haya aprobado el Curso Básico de la Policia de Aduanas y el Personal de Administración demuestre ser apto para la función que desempeñe.
- Art. 91o.- Los grados de Subprefecto e Inspector a que se refiere esta Ley, reemplazan a los de Inspector Primero e Inspector Segundo respectivamente, por lo tanto, al momento de expedirse la presente Ley, los Oficiales comprendidos en los grados reemplazados, de hecho pasarán a ostentar los primeramente mencionados.
- Art. 92o.- Los miembros de la Policia de Aduana en servicio activo, no participarán en actividades politicas ni podrán desempeñar funciones públicas electivas.

DISPOSICIONES TRANSITORIAS

PRIMERA.- Mientras no se cubran todas las jerarquias determinadas en la presente Ley, las eliminaciones se harán de conformidad al artículo 64 y no por la Eliminación Anua.

SEGUNDA.- Los miembros de la Policia de Aduana estarán amparados por la Ley del Seguro Social Obligatorio, mientras no se cuente con una Ley dictada especialmente para esta Institución.

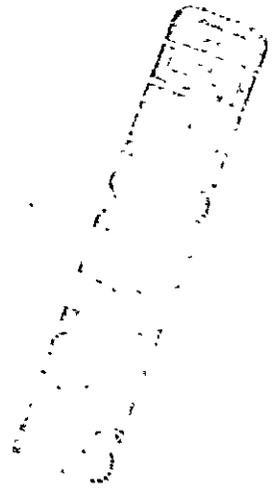
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TERCERA.- Quedan derogadas todas las disposiciones Legales que se opusieren a la presente Ley.

ARTICULO FINAL.- Encárguese de la ejecución de la presente Ley al señor Ministro de Finanzas, lamisma que regirá a partir de la fecha de su expedición.

Dado, en el Palacio Legislativo, en Quito, a . . . de . . .  
de 1968.



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