

**KEY ISSUES IN POLICE TRAINING:
LESSONS LEARNED FROM USAID EXPERIENCE**

by

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INTRODUCTION

In the post-cold war era, internal security and inter-regional conflicts have renewed US government interest in law enforcement activities. The international narcotics trade, corruption of legal systems, state collapse, and human rights abuses have emerged as important issues for donors and drive the US initiative for renewed investment in law enforcement. Any new assistance to international law enforcement activities, however, carries with it the weight of past efforts and public uproar in this area. Public safety programs, Vietnam, human rights abuses, and the "tainting" of USAID programs with security issues threaten to overwhelm the regular development focus of many USAID staff. To provide information for better law enforcement programming in the context of sustainable development, the following reviews lessons from past USAID assistance to foreign police forces.

Two key policy issues emerge from a review of USAID documentation of particular relevance to today's context:

- ▶ clarify differences between assistance to sustainable development countries and assistance to non-sustainable development countries (or "failed states" and special cases); and
- ▶ distinguish between institution building and operational support.

Several cross-cutting themes also emerge:

- ▶ throughout USAID's assistance to foreign police forces, human rights issues have persisted in both the policy and programming decision-making process ;
- ▶ coordination of the programs has been problematic, both between US government and other donors and between the various US agencies involved; and
- ▶ the tendency for program slippage from the original objective(s) to other activities has dogged US assistance to foreign law enforcement entities.

This report was part of a larger USAID evaluation of the role of the US government in police training. It first presents an overview of the key issues mentioned above, then looks at specific lessons learned -- divided between policy decisions and program/project decisions. Finally, a bibliography draws attention to important supporting documents from the USAID's Public Safety Programs, the International Criminal Investigations Training Assistance Program (ICITAP), and various Rule of Law and Anti-Narcotics programs.

OVERVIEW

Sustainable development, non-sustainable development, and special case countries:

Although sustainable development terms were not a part of USAID's policy dialogue for any of the older police training programs and projects examined in this review, there are many lessons identified from the documentation that are relevant to sustainable development countries. Furthermore, there are some lessons that are applicable to special case (or non-sustainable or "failed") countries. In particular, International Criminal Investigations Training Assistance Program (ICITAP) activities in Panama contain lessons for rapid police training programs in post-conflict situations, and the Public Safety Programs contain lessons for phased approaches to police training.

Institution building versus operations support:

Outside of the sustainable development versus non-sustainable development debate, a review of the literature uncovered a sometimes stark distinction between institutional support and operational support. Where US policy objectives included judicial or legal institutional support, police training and law enforcement activities were often seen as a key ingredient underpinning this effort. Where US policy objectives focused more on security issues, police training and law enforcement activities focused on operational support.

Overall, the lessons detailed below infer that institutional strengthening should be paramount in any USAID activity where police training and law enforcement programs buttress legal systems programming. Operational support should be limited to those situations where indigenous police forces are lacking in the basic equipment needed for performing their duties. Whether or not USAID should provide this type of operational support is not apparent from a review of the lessons learned.

Human Rights Abuses:

A recurring criticism regarding US assistance to foreign law enforcement organizations is that US assistance has, indirectly, supported authoritarian regimes that abused human rights. The public debate in the 1970's which linked the treatment of political prisoners to the issue of US assistance to law enforcement organizations encouraged legislation which prohibited USAID from participating in foreign police training.

In response to this stated problem with human rights issues, new programming (such as ICITAP) has attempted to incorporate many of the human rights recommendations identified in past evaluations of the Public Safety Programs. In particular, ICITAP/Panama incorporated offices within the police forces to examine and investigate allegations of human rights abuses by police officers. However, evaluations of the effectiveness of such human rights offices have yet to be conducted. Otherwise, human rights issues are being addressed **outside** of the police training effort by USAID (e.g., in Rule of Law programs, civil society and other broader democracy programming).

Coordination:

Because the US government has lacked a clear policy on the role of US assistance to police forces for the past two decades, it should not be surprising that each program is managed individually. The US embassy ends up with custody for any coordination of US government agencies that does occur. The literature reviewed makes it clear, however, that if the Ambassador is not interested in assistance to police, then there is little or no coordination of either US government efforts or of donor efforts. The lessons learned reveal the necessity for three levels of coordination:

- ▶ between the host government and the US government agencies involved with police training and security issues;
- ▶ between USAID and the other US government agencies involved --particularly the Department of Defense (DOD), the Department of State (DOS), the Department of Justice (DOJ), and the Federal Bureau of Investigations (FBI); and
- ▶ between the US government and other donors.

While the need for coordination of police training activities is obvious, few (if any) suggestions for how to coordinate police training activities emerged from a review of the literature.

Program slippage:

There are two major ways that assistance to police training efforts has expand into other "more sticky" program areas: the slippage from law enforcement activities to security issues; and the slippage from limited program objectives to other broader program objectives.

- ▶ Slippage from law enforcement activities to security activities. The often uncertain relationship between the police and the military remains a consistent issue in the literature reviewed. Indeed, because military and civilian police organizations in foreign countries often have functions that overlap, complement, or augment each other, assistance to military organizations has also been used to support civilian organizations. The reverse has also occurred. Thus, slippage seems inevitable unless the separation of civil and military law enforcement activities is clear and unambiguous.
- ▶ Slippage from limited program objectives to broader objectives. No matter how limited the initial involvement of the US government in police training, eventually (and usually rapidly) the program expands into more general areas of police training and police management. One explanation for this tendency is that police training, to be effective, must be viewed as only one small part of a much larger process: e.g., social development, education, legitimization of the legal system, public administration reform. As a stand-alone project, police

training efforts are futile.

From the context of the evaluations examined, program slippage was usually treated as bad program management. From the context of USAID's rule of law and democracy programming, program slippage may be inevitable. A clear US policy on the role of US assistance to police forces, delineation of responsibility between the US government agencies involved, and coordination of overall US government efforts in this area would help resolve much of the problem of program slippage.

Conclusion:

What we have learned about US assistance to foreign law enforcement organizations can be summed up into two major statements:

- ▶ assistance to foreign police forces is and has been an extremely risky donor effort, with the potential for both political and security backlash; and
- ▶ any US government assistance to help countries reform their laws and further democratize their system of government and justice **must** be based on an effective and legitimate law enforcement system.

I. POLICY SPECIFIC LESSONS LEARNED

Relationship of police training to development:

- ▶ US public safety lending has consistently been centered on the idea that police contribute to a civil order conducive to development and regional peace. Yet in several developing countries, the political sensitivity of US support to police forces led to criticism that the US was embroiling itself in host countries' domestic affairs. Eventually stringent criteria were established for the granting of police training assistance to developing countries, yet those governments that gave the US base or facility rights were consistently granted police training funds without having met these criteria (Lefever:1973).

Coordination:

- ▶ The US government lacks a clear and consistent policy on the role of US assistance to police forces in the new and emerging democracies. Thus, US foreign policy in this area lacks clearly defined program objectives; lacks a focal point for coordination and decision-making; and lacks a means for determining whether individual programs and activities support US **policy** or contribute to **overall US interests**. The end result is that each program is managed individually, and the only place coordination is occurring (if at all) is at the US embassy in each country (GAO:March 1992).
- ▶ Coordination of US assistance to police forces depends mainly on the interest of the US Ambassador. If the Ambassador is not interested, there is little or no coordination of either US government efforts, or of donor efforts (Interview with former ICITAP manager:August 1994).
- ▶ Programs must be under US government supervision, not a contractor's. Other agencies - FBI and Treasury -- have at least as much to offer as USAID (Thurston:1962; Engle and Goin; Goin and Bell).
- ▶ There must be a high-level of coordination between USAID and other government agencies, both US and host-country (USAID:May 1991).

Political will:

- ▶ Opponents have argued that most recipients of US police assistance have not shown the political will to undertake institutional reforms and to respect international standards of human rights (Yu:1989).

Emergency Response Police Training Programs:

- ▶ Congress and the General Accounting Office must recognize and understand that abnormal conditions require unusual operations (USAID 23682:Nd).
- ▶ The program of assistance should be phased: the first year US government assistance should be limited to a modest number of advisory personnel, commodities, etc. in order to closely observe the local government's law enforcement viability and performance. First year emphasis should be on the re-establishment of police headquarters and staff sections on a sound foundation. Then, if the first year goals are successful, the program should continue into the second and third years by providing an increasing number of advisors, and continue to increase the amount of police presence and police services in the villages. After the first year the advisors' roles should shift from essentially operational to advisory (Goin and Leister:1969).
- ▶ Front-loading money in the police training program cycle can allow training to continue without Congressional authorization (Lawyers Committee for Human Rights:1989).
- ▶ Fast track, simplified planning may be justified over a short term in emergencies. However, a long term institution building project should be subjected to more rigorous project planning design and implementation as soon as reasonably feasible. A principal cost of not doing so is failure to define host country participation in project financing -- which in turn risks diminished proprietorship and reduces institutional sustainability (National Center for State Courts:1994).
- ▶ ICITAP has no experience in design and development of an institution building project, let alone an institution building project of the magnitude and complexity of the Panama project. In Salvador, ICITAP participation in a USAID planned and designed project within the standard USAID project design format including preliminary sector analysis, project paper, project agreement, and follow on implementation letters and annual implementation plans. Moreover, USAID supervised the implementation of the project for several years. In Panama, however, the project was initiated within a situation and atmosphere of the most severe crisis. US policy called for the US military presence to be reduced as rapidly as possible, particularly to the extent that it was performing highly visible civilian police functions. **Therefore, there was an urgent need to create a Panamanian police force to take the place of the American soldiers** (National Center for State Courts:1994).

Human Rights abuses:

- ▶ A 1969 report suggested that an internal affairs division should be formed in the Laos police force to promptly and fully investigate every allegation charging misconduct of any kind on the part of any member of the police force. The formation of this new division should be widely publicized and the filing of legitimate complaints encouraged (Goin and Leister:1969).
- ▶ As well, the USAID's Office of Public Safety (OPS) program showed the importance of sensitivity to human rights issues when assisting foreign law enforcement activities (Yu:1989).
- ▶ Setting up an "Office of Professional Responsibility" (OPR) within the indigenous police force can be an important factor in maintaining or increasing integrity in the police force, and helps address violations of human rights by police officers. OPR's mission is to ensure the integrity of the law enforcement agency and its operations by investigating allegations of corruption, human rights abuses, crime, complaints against the police and violations of policies and procedures by its members (National Center for State Courts:1994).

Program slippage from initial scope-of-work to other goals:

- ▶ The main lesson learned from OPS is that program activities should be limited to specific objectives (e.g. anti-terrorism, narcotics control, police investigation) and prohibited from generalized police methods training (Yu:1989).
- ▶ No matter how limited the initial involvement of the US government in police training in other countries, eventually (and usually rapidly) the program expands into more general areas of police training and police management (Lawyers Committee for Human Rights:1989).
- ▶ ICITAP continues to be unique in the strength of its qualifications for provision of international training in criminal investigation. For technical assistance in general police services, however, ICITAP did not have special competence, nor has it developed special competence through its Panama experience. The most relevant expertise in general police services is with the state and local police, not with the federal government. The US government should consider an IQC competitive bidding process for tapping alternative capacity to respond to urgent requirements for police reform technical assistance (National Center for State Courts:1994).

II. PROGRAM/PROJECT SPECIFIC LESSONS LEARNED

Relationship between Military and Police law enforcement:

- ▶ There are experts who believe that integration, or assignment of at least some police duties to the military, is the best policy (Martinez:1974; USAID:October 1969).
- ▶ On the other hand, another report found that the complete separation of police services from National Guard or similar units is required. Only then can police be seen by the local populace as serving a protective rather than political function (Adkins and Grodsky:1974).
- ▶ Police training and re-training is only a small aspect of the need to increase popular belief in the criminal justice system. Broader focus is needed. Even in rebuilding stage, military should be kept out of police business to avoid identification of justice with military and/or military policies (de Medina:1988).
- ▶ Most experts contend that a police force trained in proper police conduct would be a more humane and orderly alternative than would the military if they were charged with law enforcement duties (Yu:1989).

Training targets:

- ▶ For really effective training, resources must be concentrated on the lower ranks of the force. More everyday training seems more beneficial than specialized training for only select officers or the higher ranks (USAID:October 1969). On the other hand, one evaluation found that a focus on training "key men" as police elites for host country is very important for long-term sustainability (Thurston:1962).
- ▶ Police training requires "hands on" supervision, it is therefore a tremendous drain on overseeing project officers (Thurston:1962).
- ▶ Advanced training seems to be the best way to instill discipline in the ranks of the national police force. This increased discipline in turn appears to hinder the use of unnecessary and excessive force (USAID:1970).
- ▶ Even excellent police training can not always overcome the problems of regionalism, of social and class divisions, etc. Therefore police training can only be one aspect of a broader social policy (USAID:February 1970).

- ▶ Training should focus on improving records systems, planning vehicle replacement programs, establishing commitment to command reorganization, and training of riot units in urban areas (Goin and Bell:1971).
- ▶ Because of different civil law systems, USAID-financed projects often train police as well as prosecutors, judges, etc. ICITAP-financed training for investigators often includes prosecutors and judges. Thus their common interest in the criminal investigation area necessitates close coordination between USAID and ICITAP, and for the public ministry and police counterparts (National Center for State Courts:1994).
- ▶ Trainers are often retired FBI or other US police force officers. These trainers often view their efforts as boondoggles -- a great way to travel on US government money -- and are not really committed to program and project goals. Often, these same type of individuals evaluate the police training programs (Interview with former DOS ICITAP manager:August 1994).

Professionalism:

- ▶ Major problems include the need for greater incentive systems and a less elitist attitude among senior personnel toward the lower ranks (USAID:July 1974).
- ▶ Inadequate pay for law officers causes frequent turnover in personnel. Thus, rather than constantly providing training for new law enforcement personnel, International Narcotics Matters (INM) has emphasized training of local trainers to introduce some continuity in the training programs (Yu:1989).
- ▶ A concerted effort should be made, through technical assistance, to effect the adoption of a system of promotion through merit instead of tenure. This should be tied closely with courses offered at the police training center, which should be one of the prerequisites for promotion (Yu:1989).
- ▶ One of the strengths of the ICITAP program has been that the association with prestigious and highly professional US civilian police organizations, such as the FBI and leading state and local police forces, has helped develop belief and pride in the importance of the civilian police function (National Center for State Courts:1994).
- ▶ Corruption of police forces will persist unless the issue of low pay for law officers is addressed. Police forces are paid so little that graft and corruption are endemic in order for the staff to survive (Interview with former ICITAP manager:August 1994).

Use of third country nationals:

- ▶ A 1969 report found that the use of third country nationals represents a relatively inexpensive, language qualified, technically able resource that is acceptable to the Lao police, and that functions effectively under the supervision of the US advisor. Thus, a higher level of technical assistance can be added without having to increase the numbers of US direct-hire expensive staff (Goin and Leister:1969).

Local versus national level training:

- ▶ One of the key debates that surrounds police training programs is whether training should be targeted at the local or at the national level. What emerged from a review of USAID evaluations was a clear consensus that police training should occur at the local level. Successful efforts at police training have required concentration of training at the state rather than national level (Engle and Goin:1967; Goin and Bell:1971; USAID:July 1974; USAID:October 1969; USAID:1970; USAID:February 1970).
- ▶ The creation of an "intermediate" level of police -- at the provincial level between the national and local forces -- has provided a mechanism for better integrating all levels of police work (USAID:1970).
- ▶ The rural focus of recruits and their subsequent posting in rural areas, and their training in rural development programs in addition to their regular police training, can increase general popular acceptance of the police. Major problems include the need for greater incentive systems and a less elitist attitude among senior personnel toward the lower ranks (USAID:July 1974).

Long-term commitment:

- ▶ Support for police should be extended by donors only in the long-term. Before the police can get public support, they must first display a willingness and ability to protect the people. Confidence in this ability and willingness is extended only gradually, as the inhabitants initially suspect that the police presence is primarily devoted to surveillance of the villages and not its protection (Adkins:1964).
- ▶ Though increased population pressures have placed greater strains on the working environs of the police, the overall supportive environment of the populace towards the police has made it relatively easy to initiate long-term training programs. The higher level of economic development and general social stability have meant less criticism from the public for money spent on

police rather than other programs. There also seems to be much less fear that the police will or can be used to favor one party or domestic coalition over another (USAID:March 1974).

- ▶ The strictures of social and economic under-development place greater demands on the police forces than is the case in more developed countries. As the country develops, the strains of growth will place even greater demands on the police forces, necessitating a long-term donor commitment for measurable impact (USAID:July 1974).

Scope:

- ▶ Police training, to be effective, must be viewed as only one small part of a much larger process: social development, education, legitimation of the legal system, public administration reform, et. As a stand alone project, police training efforts are futile (Adkins; Longan and Saenz:1967; de Medina:1988; USAID:October 1972; Lefever:1973; USAID:March 1974; USAID:May 1991; USAID:February 1970).
- ▶ Police are only one segment of public administration. To concentrate on police training or improvement in police skills while ignoring larger aspects of public administration reform seems self-defeating (Longan and Saenz:1967).
- ▶ Projects must be comprehensive, i.e. with broad social impact. Furthermore, goals of project must be enforceable once USAID has cut direct links to the project; and it must be stressed that the impact of any **one** project is likely to be very small and only in the widespread funding of many similar projects country-wide can any real progress be detected (USAID:May 1991).

Equipment:

- ▶ Communications equipment provision may be the most important aspect of improvement in police operations. Planning and research improvement may be the second most important aspect (USAID:February 1970).
- ▶ Perhaps the best way to influence police effectiveness is to increase access to equipment: vehicles, weapons, radios, etc. (Martinez:1974).
- ▶ However, the projects must also be economical in relation to availability of existing resources both within the host country and within the donor agencies (USAID:May 1991).

III. CHRONOLOGY OF US ASSISTANCE TO FOREIGN POLICE

The US has conducted various foreign police training activities since 1954, when the Eisenhower administration decided (in part) to help Third World governments meet actual or threatened communist subversion or insurgency (Yu, CRS Report:1989; Lefever:1973).

By 1954:

- * The US had trained 17 foreign police officials in the US (Thurston:1962).

In 1955:

- * Indonesia was the first country to receive public safety assistance, and by the end of that year the program included Iran, South Korea, and Cambodia at a total cost of \$1.8 million (Lefever:1973).

In 1958:

- * 21 countries were receiving aid at a cost of \$14 million (Lefever:1973).

By mid-1961:

- * There were 38 recipient countries, and the cost was \$13.8 million a year (Lefever:1973).

By 1962 (the following data comes from a USAID 1962 report by Thurston):

- * A total of 1,622 participants from 43 countries had been provided training.
- * Between 1960 and 1962 the US Technicians Orientation and In-Service Training Contract (for police training) between USAID and the International Association of Chiefs of Police total budget costs were about \$133 thousand.
- * From 1955 until 1962, the training phase of the Police Assistance Program (an integral part of the overall USAID program to "promote the economic and social development of the less-developed and newly emerging countries") had been conducted in most cases on an ad hoc emergency basis from year-to-year. The program suffered from "a lack of autonomy, direction, central control, fragmentation" and in the early 1960's from "de-emphasis."

In 1964:

- * OPS began working on narcotics law enforcement in Iran, and the International Police Academy added specialized narcotics training to its curriculum (Lefever:1973).

By 1968:

- * The US was spending \$60 million a year to train police in 34 countries in areas such as criminal investigation, patrolling, interrogation and counterinsurgency techniques, riot control, weapon use, and bomb disposal. The US also provided weapons, telecommunications, transportation, and other equipment (GAO:1992).
- * More than half of the total assistance went to South Vietnam, Thailand and Laos (Lefever:1973).
- * The criteria for choosing recipients of US public safety assistance was based on: the interest of the US in the internal security of the assisted country; the capacity and willingness of the potential recipient to do its part; and the unavailability of police aid from other Western governments (Lefever:1973).
- * Britain and France provided public safety aid to most of their former colonial areas, and the US concentrated on Latin America and certain countries in Asia and Africa (Lefever:1973).

By 1973:

- * Some 6,900 third world police officers and technicians had been trained in the US by OPS and its International Police Academy (Lefever:1973).
- * In mid-1973 there were 10 OPS advisers in 6 countries working as full-time narcotics specialists, compared to about 125 representatives of the Drug Enforcement Agency (DEA) in developing countries (Lefever:1973).

By 1974:

- * According to a 1986 study by the Congressional Arms Control and Foreign Policy Caucus, under USAID's Office of Public Safety (OPS), over 500,000 police in 41 countries had been trained and equipped by the US between 1962 and 1974 (Lawyers Committee for Human Rights:1989).
- * Public Safety assistance in fiscal 1973 amounted to approximately one percent of the USAID grant budget (Lefever:1973).
- * In 1974, USAID assistance to the civil police in 18 countries was costing \$7.4 million annually. At this time, there were 114 professional police advisors abroad (Lefever:1973).

In 1984 (the following data comes from a 1988 GAO report):

- * The INM program budget totaled \$41.141 million.
- * INM recipient countries included: Bolivia, Burma, Colombia, Ecuador, Jamaica, Mexico, Pakistan, Thailand and Turkey.

- * The total DEA budget was \$48.6 million.

In 1985 (the following data comes from a 1988 GAO report):

- * The INM program budget totaled \$50.039 million.
- * Bolivia was added as an INM recipient country.
- * The total DEA budget was \$51 million.

In 1986 (the following data comes from a 1988 GAO report):

- * The INM program budget totaled \$59.971 million.
- * Turkey did not receive any INM assistance in 1986.
- * The total DEA budget was \$60.4 million.

By 1986 (data is from a 1989 Lawyers Committee for Human Rights paper):

- * USAID's 12 year program in El Salvador trained some 300 police officers in the US. Roughly half of USAID's \$2 million program in El Salvador provided equipment such as mobile radio units, vehicles, weapons, ammunition, riot helmets and tear gas grenades.

In 1987 (the following data comes from 1987 GAO testimony and a 1988 GAO report):

- * The US provided international anti-narcotics assistance to Bolivia at a cost of \$12.2 million. International narcotics control assistance to Colombia of \$10.5 million. Total INM program budget for 1987 was \$118,439 million.
- * From 1983 to 1987, international narcotics control assistance to Mexico cost an estimated \$137 million.
- * International narcotics control assistance (through INM, DEA and USAID) to Pakistan was budgeted at about \$13 million.
- * International narcotics control programs (through INM, DEA and USAID) to Thailand was budgeted at about \$12 million.
- * International narcotics control assistance to Burma at a cost of \$9.7 million (from 1984 to 1987 the total was about \$21.5 million).
- * Total INM assistance was \$118.439 million in 1987.
- * The total DEA budget was \$86.9 million.

In 1988 (the following data comes from a 1988 GAO report):

- * The INM program budget totaled \$98.750 million.
- * The total DEA budget was \$93.7 million.
- * From 1986 to 1988, USAID had committed more than \$46.6 million in support of drug control projects.

In 1990 (the following data comes from a 1992 GAO report):

- * 125 countries received US government police training and assistance during fiscal year 1990 at a cost of about \$117 million .
- * Anti-terrorism assistance to 49 countries at a cost of \$10 million.
- * International narcotics control training focused on 11 countries at a cost of \$45 million. DOD costs to equip and train narcotics enforcement police were estimated at a separate \$30.3 million.
- * ICITAP received \$7 million, and trained more than 1,000 police students from Latin America and the Caribbean (LAC).
- * ICITAP received an additional \$13.2 million to help develop and train 5,500 Panamanian police officers.
- * DOD provided an estimated \$31.363 million to police officials in LAC for counter-terrorism and military assistance.
- * Rwanda, Yugoslavia, USSR, and Haiti received INM assistance in 1990.

In 1991 (the following data comes from a 1993 GAO report):

- * The US provided police assistance to 100 countries at a cost of \$107 million.
- * The US Provided international narcotics control training at a cost of \$56 million. DOD costs to train and supply narcotics enforcement police were estimated at \$27 million.
- * Anti-terrorism assistance costs were \$12 million.
- * ICITAP received a total of \$11 million for police training in LAC (\$4.9 million for its regional program, and \$6.5 million as part of its assistance to Panama).
- * ICITAP received an additional \$12 million to begin training and support of the new civilian police in El Salvador.

- * The Freedom Support Act authorized the use of foreign assistance funds to carry out Rule of Law projects in Eastern Europe and NIS. Most of the US assistance to police in Central and Eastern Europe was provided by the ATA program at a cost of approximately \$3 million.

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