

POLICE WORK IN DECENTRALIZED GOVERNMENTS IN VENEZUELA

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INTRODUCTION

The current state of citizen security in Venezuela is at its most critical situation ever. In modern times, Venezuelans have never experienced the rise of criminal violence such as the one established in recent years. Homicide rates are among the highest in the region; nearly 64 per one hundred thousand is the official number, but some NGOs place that number near 90 in 2015. That represents over 27,000 homicides a year. Most common are robberies, which have been widespread all over Venezuela. Caracas, Venezuelas capital, has traditionally been the most affected by crime. Most criminal rates in the capital surpass greatly the ones in other areas. This has been a sustained trend that has not been addressed in the technical sense, and mostly with isolated efforts. Areas mostly deemed secure now face serious crime waves. Homicides and kidnappings have become commonplace in urban areas.

The great problem presented today by criminal activity is due to a multitude of causes, and the police system plays a huge part in the problems presented. The police system has suffered deep changes, not always good and always responding to political interests. This is the main objective of this short essay. It will not dwell into the complexities of crime in Venezuela today. Rather, I want to address the problems with the current models of policing in Venezuela, which have traditionally catered to national security over citizen security. This has placed citizens at a disadvantage and has undermined human rights in the country.

Civil society has developed and diversified rapidly to defend human rights in Venezuela in the past two decades. Paz Activa¹, where I develop most of my work, is an NGO dedicated to bringing solutions to local police on crime prevention and peaceful living. We have developed successful strategies to reduce crime locally. Our work is all about making communities safer and harder to penetrate by crime networks. We believe, it is at the local level where strategies to reduce crime are more effective. Understanding local issues and adjusting crime policy to communities rather than having a national crime policy for all, is the way to move forward towards a safer country.

POLICE FORCES IN VENEZUELA

The police model implemented in Venezuela has always been a reactive one and has always been subject to political interests. Most notably was the Seguridad Nacional (DSN)², which functioned as a political police for the Dictator Marcos Pérez Jiménez (1948-58).³ During that time, this national police paralleled others inasmuch as their wholly function was to keep tabs on opposition leaders, follow and imprison them when they considered it necessary. Their methods included torture and forced disappearances and they were feared, primarily because of the brutality of their chief, Pedro Estrada, who was politically untouchable and close to Jiménez.⁴

During dictatorship years, criminal activity was minimal and heavily penalized. Prisons were harsh places, with heavy labor routines that languished men and drove them to a premature death.

Other police forces were created when democracy took hold. These new forces included the Policía Técnica Judicial (PTJ)⁵ that for decades was heralded as one of the best investigative police forces in the region. It focused on solving murders and complex crime, it developed innovative and cutting edge technology and investigative techniques. State police forces also developed at a regional level, mostly in administrative and preventive activities. These forces were under the control of the state governor and they themselves were handpicked by the president of the republic.

Decentralization (1989-98) of government brought multiple challenges to governance. Part of the challenge was to offer more democracy, more elected officials, and local accountability. State governors were to be elected by popular vote, as they were previously designated by the president. Municipal reforms also occurred, as new mayors were elected and they were given new responsibilities. These new responsibilities included the creation of local police forces. At the forefront of these efforts was PoliSucre⁶, the first local police force that served one of the biggest municipalities in Caracas. Thereafter, many others were created in the main cities of Venezuela. Although there are more than 300 municipalities nationwide, nearly half of the countrys' police forces were established as part of the new reforms. Some municipalities did not have the resources to maintain a police force, so they relied on state police.

These local police forces developed organically and operated autonomously, independent from any centralized oversight or coordinating body. Local police forces in the same city did have little coordination or planning between them. Responding to local authority, they developed unevenly, depending on the investment and resources that local authorities were willing to assign to citizen security. Some local police forces became highly developed, while others remained underfunded and chronically lacked the resources needed to combat crime, creating more of a problem than a solution for local authorities.

Each of the newly created local police forces operated on a different budget, and according to different particularities. Some forces were well equipped and well-trained, with their own police academy, while others were not and depended on outside help for training. Communication ran sometimes on Ultra High Frequency (UHF) or on Very High Frequency (VHF) platforms or not at all. Some had basic firearms; others were able to develop SWAT teams.

This allowed for some deviations and errors in their development. Without the guidance for their establishment, some of these small

forces became personal security for local authorities. Some with the ability to buy firearms became distributors of weapons to local patrons and gangs. And some just operated beyond any law or control, becoming the local thugs in remote areas of the country.

POLITICS AND POLICE

In 2002, there was a movement to undermine Venezuelan president Hugo Chavez' rule and to stop him from transforming the state structures into the socialist model he proposed to the Venezuelan people. He came upon great resistance from the middle classes, especially the one depending directly on the oil industry, which was a privileged one. A nationwide strike ensued, spearheaded by *Petróleos de Venezuela (PDVSA)*⁷, the national oil company. After almost two months, on the April 11th 2002⁸ an opposition march was summoned by its leaders. By the thousands people were participating in another of many marches organized against Chavez, but this time they were shepherded towards downtown, a notable Chavez stronghold. This marked a departure from previous protests, which had generally been held elsewhere. Chavez' supporters met the opposition with gunfire and repelled the demonstrators.

The mayor of Caracas, Alfredo Peña, a former journalist, was a supporter of the anti-Chavez movement. As mayor, he had Venezuela's largest police force, the Metropolitan Police (PM), under his jurisdiction. Alfredo Peña, Ivan Simonovis⁹, and several Caracas police officers were tried and found guilty of instigating the deaths occurred during the anti-Chavez protests. Today, they are considered political prisoners of the regime,¹⁰ as their trial was widely derided as a sham, with no substantial evidence presented to prove their guilt. They became scapegoats for the anti-Chavez opposition movement.

The events of that day are well-known on the annals of modern Venezuelan history. Whether there was a coup or resignation of the president, the truth a commission created to evaluate what happened did not shed light on this issue. What was made clear that day to

Chavez was that armed police forces under the control of the opposition posed a potential threat to his rule. The Metropolitan Police escorted the opposition marchers, and acted to protect the opposition from the *Chavistas* who fired upon the unarmed protesters from Puente Llaguno, in downtown Caracas. Popular outrage over the government's violent response to the protesters and the high number of victims unleashed a series of events that temporarily ousted Chavez from power.

In the wake of these events, Chavez, upon being reinstated as Venezuela's president, set forward an agenda in which he dismantled the Metropolitan Police and, in its place, created a National Police that would answer only to him. This new police force quickly became closely identified with the socialist project. The events of April 2002 that left 19 dead and more than 100 injured¹¹ became a historic landmark of the revolution. The gunmen who illegally fired upon the unarmed protesters were hailed as heroes and saviors of the Chavez regime.

The PM was doomed after their participation in the coup that ousted president Chavez for a couple of days. Dismantling the largest police force in the country (over 15,000)¹² was not easy and produced very undesirable results. Legally bound to the metropolitan municipality, a parallel city government was created and appointed by the president that stripped away most of the competences of the metropolitan government publicly elected. One of them was policing. The police force was eliminated, and the force's former employees found themselves unemployed and lacking any legal recourse.

Long before the events of 2002, corruption had taken hold of the PM. Many of its members were practically criminals in uniform. They had strong connections with local gangs. This was exploited by some local government officials, who organized the *Círculos Bolivarianos* with the help of corrupt PM officials.¹³ These groups, highly identified with the revolution, were to be at the forefront of the defense of the Chavez regime. They were organized locally and

named after dates and figures of revolution, which were imprinted in tricolored circles on their clothes. They were meant to intimidate opposition movements, protests and marches; they rode motorcycles and bore firearms, and travelled in packs of 10 to 50. Sometimes their presence was enough to intimidate, other times they would use their weapons and casualties would occur. They were organized and financed by the government. Although the *Circulos Bolivarianos* actions were illegal and its members were involved in racketeering and drug trafficking, government authorities would disappear and local police would not touch them in fear of government backlash. The disappearance of the PM left a void in citizen security and the subsequent lack of policemen helped to give rise to increasing criminality.

CRIME POLICY AND STATE

In 2006, there was a special effort to evaluate the police system in Venezuela. The National Commission for Police Reform (CONAREPOL)¹⁴ came upon three key cases that shook public opinion. One of these cases was the massacre at the Kennedy Community, a low income neighborhood founded in honor of John F. Kennedy's visit to Venezuela, in which investigative police forces (CICPC)¹⁵ had set up a check-point during their search for a cop killer.¹⁶ One car with university students failed to stop at the check point and was fired upon, wounding some of them, and then deciding to execute all of them to cover their tracks. Three male students were killed and the three women were saved by the community who denounced the killings. An investigation ensued and over 23 police officers were sentenced to various lengths of imprisonment for their actions and the cover up.¹⁷ The second case involved the kidnapping and killing of the three Foudoul brothers, as well as their chauffeur, by the police.¹⁸ The third and final case revolved around the kidnapping and subsequent murder of Fillipo Sindoni, a renowned local pasta company owner, by criminals posing as police officers.¹⁹

CONAREPOL spearheaded a comprehensive study of national, state, and local police forces that resulted in the evaluation of 134 different police forces. There was also a first national crime survey conducted by the National Statistics Institute (INE).²⁰ The data produced by the commission and survey revealed the true weaknesses of the police system and uncovered data on crime more adjusted to reality. Moreover, they uncovered what most already knew: Police forces were involved in crimes themselves. In an estimated 20 % of all crime, police had been somehow involved.

One of the conclusions drawn from these studies was the necessity of creating a National Police that would serve as unified force for investigating crime at national level and assist local and state police. It took three years for the law to be passed and in 2009 it finally allowed the National Police to be born. As many institutions during the Chavez regime, it had to have the imprint of the revolution. So, against the recommendations of many, the new police was born with the *Bolivariana* surname, and Chavez made sure that the formation of the new police answered to the revolutions ideology and command. The institutions created by the new police law included Policía Nacional Bolivariana (PNB)²¹ and the National Experimental University of Security (UNES).²² There were some dispositions on how the different levels on police should operate and coordinate efforts.

This was all good in paper but in practice was very difficult to implement. The difficulties lay not in the policy's technical implementation, but were due to the fact that politically, the country was deeply divided between two sides. The fact that Venezuela's various states and municipalities were controlled by two opposing sides made it very difficult for any type of cooperation between police forces.

The best example of this is Caracas. It is divided in five municipalities, four of them are under opposition control, and the most populous, Libertador, is a *Chavista* stronghold. The state police of Miranda also claims those four municipalities under its jurisdiction,

and that the PNB has jurisdiction over the whole capital area. Those are seven different police forces working in Caracas with little collaboration among them. Examples like this can be found throughout the country.

Even among police forces under the same political spectrum, collaboration is difficult to establish. There is a tendency throughout government promoted by the revolution not to disclose any information on government activities or statistics.

CHALLENGES TO POLICING

There are many challenges to policing in Venezuela. One of the first things that must be done to improve policing is the removal of the Guardia Nacional Boliviana (GNB) from police functions. Although it is allowed to utilize armed forces in citizen security functions, it is only as a last recourse when civil police is overwhelmed in emergency situations. The army's continuous involvement in policing and crime policy has had a negative result overall. This in turn has weakened the civil standard of the police system. The army's involvement has also diverted resources that would otherwise been invested in strengthening all levels of police force. Wages and equipment need to be upgraded for all police forces nationwide.

A real shift in crime policy must occur. The current reactive model of standard police work aimed at capturing criminals would be refocused to crime prevention techniques. Although there is much to do in the crime control area, it would be useless if the justice system does not improve upon the current impunity rates it has for most crimes. A shift to a model that is more proactive, with a focus on crime prevention is necessary and the only short term measure with some chance of making an impact.

Coordination and technology are also high in demand. The creation of national and local platforms to allow data sharing and cooperation will greatly improve policing on all levels.

Developing and assisting police officers in creating a career in law enforcement that matters to them and society is a recipe for crime policy success. This can only be achieved by elevating wages that will attract better candidates to police academies. Promoting early police-school programs that expose the youths to the activities that police officers perform will draw new recruits to police academies as well.

Improving the negative perceptions many Venezuelans have about police must be a central element of any successful national crime policy. Citizens must come to perceive the police as allies and not as aggressors. Community policing and a total shift towards crime prevention can align these objectives of modern policing. When police work alongside communities and get involved in cultural activities, such as sports, empathy is created between these two sides.

But most important are resources. The current national budget destines around 1 % to citizen security according to Transparency Venezuela. This is too little to address one of the top three problems Venezuelans face according to all surveys. Crime affects everyone without distinction but it is the poor who suffer most from violent crimes, such as homicides.

The cost of crime has not been established in Venezuela, but similar countries with high crime rates estimate that crime can add up to a loss of 25 % of the GDP. Crime is not a result of poverty, but the other way around, crime generates poverty. Economic progress is hampered by crime. Citizen and judicial security are prerequisites of economic prosperity. Countries like Colombia have experienced an economic boom in recent years mainly because they overcame huge crime problems, reducing kidnappings and homicides. Now, people visit Colombia without the fear they may have had twenty years ago.

A new national crime policy must be implemented and should be at the top of government plans. That means assigning a meaningful percentage of the national budget to citizen security. An allotment

of 15-25 % of the budgets at national, state and local level are necessary to implement the needed changes to police, courts and prison systems.

The president and all government entities must align themselves in the crime reducing effort. This has never been done, and during President Chavez's rule, the crime issue was discarded as one created by the opposition media and planted in people's minds. This was enforced by government policy in 2005 of not disclosing crime statistics to the press. With no public official crime data, it became apparent that government had no real political will to understand and tackle the problem.

While there is a heightened perception of crime, there is no room to overlook the hard evidence we are confronted with. The country is facing a citizen security crisis that affects all aspects of civilian life. To overcome this crisis, all social, economic and political powers must come forward in a united national effort.

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Mr. Cedeño is currently conducting research on the phenomenon of organized crime.

NOTES

- ¹ Paz Activa (Active Peace) is a Caracas-based organization dedicated to reducing violent crime and enhancing citizen security in Venezuela. Founded in 2000, its initial focus was access to justice and alternative methods of conflict resolution. As crime rose in the following years, it has shifted towards addressing what has become one of the most complex and challenging of problems: rising violent crime. It has also diversified into observatories on Organized Crime and Road Safety in recent years. Paz Activa has been a Hanns Seidel Foundation grantee since 2015 with two programs currently running, one on crime prevention in Caracas (Sucre municipality) and the other on evaluating crime victim assistance in Miranda state, www.observatoriodot.org.ve, www.seguridadvial.org.ve, retrieved: 12.12.2015.
- ² The National Security (NS) was a former Venezuelan police agency established during the government of Eleazar López Contreras and dissolved on January 24th 1958, when one day before President General Marcos Pérez Jiménez is the subject of a coup. Its director was Pedro Estrada during the administration of Pérez Jiménez, https://es.wikipedia.org/wiki/Direcci%C3%B3n_de_Seguridad_Nacional, retrieved: 12.12.2015.
- ³ Marcos Evangelista Pérez Jiménez (1914-2001) was a military man and Venezuelan politician. He reached the rank of Major General in the Army of Venezuela; and was appointed President of Venezuela de facto provisionally by the National Constituent Assembly proclaimed Constitutional President for the period 1953-58, https://es.wikipedia.org/wiki/Marcos_P%C3%A9rez_Jim%C3%A9nez, retrieved: 12.12.2015.
- ⁴ Pedro Estrada de Alcántara Albornoz (1906-89) was a politician and Venezuelan police commander. It was the second and longest serving Director of the National Security who served as political police for President Marcos Pérez Jiménez. He was dubbed by the opposition as "The Jackal of Güiría" and "Don Pedro" by the incumbent Venezuelan society of the time, https://es.wikipedia.org/wiki/Pedro_Estrada, retrieved: 12.12.2015.
- ⁵ The Scientific, Penal and Criminal Investigative force (CICPC), formerly Technical Judicial Police (PTJ) is the lead agency for criminal investigations of Venezuela. It is responsible for the scientific investigation of crimes with a view to later application of justice by the competent bodies, https://es.wikipedia.org/wiki/Cuerpo_de_Investigaciones_Cient%C3%ADficas,_Penales_y_Criminal%C3%ADsticas, retrieved: 12.12.2015.
- ⁶ <https://alcaldiamunicipiosucre.gob.ve/gobierno-municipal/institutos/polisucres/>, retrieved: 11.12.2015.

- ⁷ Political events known as "Paro Petrolero" of 2002-03, a general and indefinite labor strike against the government of Venezuela headed by Hugo Chavez, mainly promoted by the FEDECAMARAS (national chamber of industry and commerce) and seconded by the directors and employees of Petróleos de Venezuela (PDVSA), the opposition parties grouped together in a democratic coalition, the Union Confederation of Workers of Venezuela (CTV), various organizations like Súmate and even private media press, radio and television. The strike lasted from December 2002 to February 2003, one of the longest general strikes in history. Supporters of Chavez, called this event "oil sabotage" or the "oil coup", while the opposition called it a "national strike", <http://www.eluniversal.com/economia/121202/a-10-anos-del-paro-de-2002>, retrieved: 15.12.2015.
- ⁸ The crisis of April 2013 marked unrest in Venezuela. The first decade of the century, and the last of the previous century would be marked by political instability in a coup centered on the person of Hugo Chavez. This time, the struggle between workers and employers against the national government, reached its climax with an indefinite strike that threatened to undermine economic activity and led to the forced departure of Chavez for a few hours, <http://www.elimpulso.com/noticias/nacionales/crisis-del-11-12-y-13-de-abril-marco-conflictividad-en-venezuela/>, <https://www.youtube.com/watch?v=w2nvIQUpX0>, retrieved: 15.12.2015.
- ⁹ Two years after the events of April 11th 2002, Ivan Simonovis is detained at La Chinita International Airport in Maracaibo by officials of the DISIP, without an arrest warrant against him, <http://www.eluniversal.com/nacional-y-politica/140508/cronologia-del-caso-ivan-simonovis>, retrieved: 15.12.2015.
- ¹⁰ The sentence received by the Deputy Commissioner of the Metropolitan Police Marcos Hurtado is that on April 11th 2002 he was not in the place of the events, on Baralt Avenue, where the two victims were for which he was charged: Erasmo Sánchez and Rudy Urbano Duque, who died from gunshots in Llaguno bridge and at the gates of the Chancellery, <http://www.eluniversal.com/nacional-y-politica/130407/los-policias-sentenciados>, retrieved: 15.12.2015.
- ¹¹ The 11th of April is described by some as the day when the revolution was curtailed and as the day Hugo Chavez was tumbled. A time that, according to Patricia Poleo in her column in El Nuevo País in 2007, the day marked a before and after for those 19 dead and over 100 injured, <http://www.noticias24.com/actualidad/noticia/33622/11-a-2002-un-dia-de-muchas-caras-y-muchas-versiones/>, retrieved: 15.12.2015.

- ¹² In a press release of the Deputy Minister of Police Integrated System (Visipol), the measure which was published in Official Gazette on the 22nd of April was signed by the then minister of that portfolio, Nestor Reverol ordered definitive dismantling of the Metropolitan Police, <http://informe21.com/actualidad/ordenada-supresion-definitiva-de-la-policia-metropolitana-0>, https://es.wikipedia.org/wiki/Polic%C3%ADa_Metropolitana_de_Caracas, retrieved: 1.1.2016.
- ¹³ Hugo Chavez called to the formation of the Bolivarian Circles on June 11th 2001, instances conceived as a "mechanism of participatory democracy we are starting to build", <http://www.avn.info.ve/contenido/c%C3%ADrculos-bolivarianos-comenzaron-construir-democracia-participativa-hace-13-a%C3%B1os>, <http://runrun.es/nacional/venezuela-2/160575/que-son-los-colectivos.html>, retrieved: 1.1.2016.
- ¹⁴ "The Commission for Police Reform was created in April 2006 with the purpose of consultation and diagnosis of police forces, a new police model that would yield results in the process of democratization and social inclusion in the country's justice system." Recommendations for Police Reform, CONAREPOL, Caracas 2007, <http://www.derechos.org.ve/actualidad/coyuntura/2007/pdf/Conarepol%20recomendaciones%20finales.pdf>, retrieved: 1.1.2016.
- ¹⁵ "Cuerpo de Investigaciones Científicas, Penales y Criminalísticas." National investigative police.
- ¹⁶ The Slaughter at Kennedy, is the name by which a notorious case of police excess that occurred in Barrio Kennedy, Las Adjuntas, in Caracas, on the night of November 27th 2005, where three college students were killed and three wounded by police officers and which would later be presented as a clash between criminals and police, http://www.eluniversal.com/2005/07/01/ccs_esp_01A574015, retrieved: 4.1.2016.
- ¹⁷ 23 police officers were sentenced to 30 years in prison. TSJ makes a strong condemnation against perpetrators of slaughter at Kennedy, http://www.eluniversal.com/2010/08/16/suc_ava_tsj-deja-en-firme-co_16A4343131, retrieved: 11.1.2016.
- ¹⁸ Police Officials from the Metropolitan Police: Carlos José Rodríguez, Francisco Gudino, Carlos Enrique Talavera and Maikel Monsalve Sarmiento, along with former member of the police Miguel Antonio Buelvas Rentería and two criminals, Alfredo Sosa William Black Pope and Gabriel Alexander Peñaloza, had months to forge a plan: Get 10 million bolivars as ransom for the release of the Faddoul brothers, <http://www.noticias24.com/actua>

- lidad/noticia/26284/hace-tres-anos-la-familia-faddoul-cambio-para-siempre/, retrieved: 4.1.2016.
- ¹⁹ The Italian-Venezuelan Filippo Sindoni, kidnapped on March 28th 2006 by police officers in the Avenida Las Delicias Maracay (Aragua state). He was later found dead and his captors were sentenced to over 22 years for committing kidnapping and subsequent murder, http://www.eluniversal.com/2007/08/22/sucgc_art_condena-para-todos-e_418039, retrieved: 4.1.2016.
- ²⁰ "The general perception of society and the national government tends to coincide in the severe limitations of the police in the country to ensure public safety, law enforcement and the free exercise of fundamental rights and freedoms" from. Victims and Perception of Police survey 2007, CONAREPOL-INE, Caracas 2007, http://www.consejogeneraldepolicia.gob.ve/?wpfb_dl=501, retrieved: 4.1.2016.
- ²¹ On December 20th 2009, by way of the government, the Bolivarian national police is born to respond to a set of issues identified in the comprehensive diagnosis prepared by the National Commission for Police Reform, <http://cpnb.gob.ve/index.php/institucion/resena>, retrieved: 5.1.2016.
- ²² This university is responsible for the training of new recruits for the national police but also has the mission to train all levels of police forces, firemen and civil defense workers and rescuers. In its mission statement it makes clear that it functions under the "socialist ethics" of the revolution, www.unes.edu.ve/, retrieved: 5.1.2016.