

INTELLENET NEWS

June 2008

Table of Contents

	Page
Carino's Corner	1
Know Your Fellow Members	1
Members in the News	2
Everything is Money—Inside the Mexican Police.....	3
Japanese Police System	11

Carino's Corner

Have you noticed? Intelnet has changed its name – but not its vision or focus. Our new name is Intellenet and yes, we still pronounce it the same way. In connection with another matter we did some research and found we were sharing our old name with 146 other entities! As we were getting better known publicly (our initial objective was to maintain a low key, low profile “personae”) some identity confusion began to emerge in the marketplace.

Our key objective is still to provide the best investigative service in the private sector. Our members, primarily, but certainly not exclusively, are former federal agency and military special agents with our international members possessing similar backgrounds within their own countries. However, this is also strong representation from the private sector and corporate America. In short, Intellenet can provide comprehensive investigative services in virtually all parts of the world – certainly in all parts where there is a business interest within the global economy.

This year we are celebrating our 25th Anniversary as an Association. However, a recent unofficial survey of our membership indicates an average of 32 years investigative experience in our member base. With investigative representation in all

states and over 45 countries, Intellenet can respond to just about any legitimate request – timely, reasonably and competently.

Know Your Fellow Members



Bill Fleisher

*Keystone Intelligence Network, Inc.
Philadelphia, Pennsylvania*

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Bill has an extensive law enforcement and investigative background, which follows: from 1968 to 1970, he was a Philadelphia Police Officer, leaving the Department with the rank of Corporal; from 1970 to 1975, he was a Special Agent with the Federal Bureau of Investigation, with assignments at their Boston, Detroit and New York Field offices. While with the FBI, Mr. Fleisher specialized in organized crime matters. From 1975 to 1996, Mr. Fleisher was a Special Agent with U.S. Customs (now I.C.E.), rising to the rank of assistant Special Agent in Charge, Philadelphia. After retiring in 1996, Mr. Fleisher became a principal and Director of Keystone Intelligence Network, Inc., a multidiscipline private investigation firm located in Philadelphia.

Mr. Fleisher is a graduate of Temple University with a Bachelor of Arts degree in Sociology; the Philadelphia Police Academy, the FBI Academy; the Federal Law Enforcement Training Center; and the Backster School of Lie Detection. He successfully completed many law enforcement and polygraph related seminars and courses. Mr. Fleisher is also a member of many professional law enforcement associations and is a Certified Fraud Examiner (C.F.E.). Throughout his career, Mr. Fleisher has received numerous commendations, awards and honors for his innovation, courage and dedication to duty.

Mr. Fleisher, an expert Forensic Psychophysicologist (polygrapher), is also assistant director of the Academy for Scientific Investigative Training which is an American Polygraph Association accredited polygraph examiner training school. He was the initial instructor at the first commercial polygraph examiner training courses presented in South Africa, and Switzerland, and regularly teaches polygraph techniques in Johannesburg and Singapore. In addition, in 2003, Mr. Fleisher was a principal instructor for the first polygraph examiner training course conducted by a private company for the Kingdom of Saudi Arabia, Ministry of Interior.

He is coauthor of *Effective Interviewing & Interrogation Techniques - In Search of the Truth*, Academic Press, first and second editions, a comprehensive book on interviewing techniques and behavior analysis. Mr. Fleisher has authored

and co-authored research and other articles published in association journals, including *Customs Today*, a publication of the U.S. Customs Service, subscribed to by more than 19,000 Customs Service employees and *Polygraph*, the Journal of the American Polygraph Association.

Mr. Fleisher has been featured on CBS's 48 Hours; the History Channel's First Detective; Discovery Channel's The New Detectives and numerous other television and radio shows. He often is on the BBC Radio Five Live show as an expert on interrogation and forensic issues. He has also been spotlighted in articles that appeared in the Philadelphia Inquirer & Daily News, New York Times, Readers Digest, and many other publications. Mr. Fleisher was also featured in the November 2001 issue of Philadelphia Magazine as one of the 76 Smartest Philadelphians.®

In 1990, Mr. Fleisher co-founded the Vidocq Society and has been its Commissioner since its inception. This organization's membership consists of forensic experts of many disciplines and others interested in detecting the truth regarding unsolved criminal cases. The Society meets regularly over lunch to discuss interesting and sometimes baffling crimes.

Mr. Fleisher has been married 34 years to Michelle, and has four children and two grandchildren.

Members in the News

David L. Ziegler, CFE, CFI was recently interviewed on the FOX cable news channel relative to the Monte Carlo Hotel fire in Las Vegas and asked to offer his professional opinions as the fire progressed. He recently returned to his alma mater, Seton Hall University, South Orange, New Jersey, to speak to an undergraduate insurance class on the subject of fire investigation for the insurance industry. Dave noticed that the campus changed a lot in 40 years and that the students all had their laptops open and would "Google" his comments as he spoke!

***"Everything in This Job Is Money--
Inside the Mexican Police"***

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*Nelson Arteaga Botello and Adrián López Rivera
World Policy Journal, Vol. 17, No. 3, (Fall 2000)*

For the first time in Mexico, a peaceful transfer of power is about to occur from one political party to another. On July 2, voters ended 71 years of uninterrupted rule by the Institutional Revolutionary Party (PRI). Unsurprisingly, confirming the Actonian dictum that power corrupts, Mexico's police forces have become legendary for their corruption. President-elect Vicente Fox Quesada (profiled in "The Next Mexican Revolution," fall 1996) has vowed to tackle the issue head-on, beginning with a reorganization of the federal police, when he takes office December 1.

But as the following study of a typical police force on the outskirts of Mexico City demonstrates, corruption in Mexico is by now thoroughly institutionalized and operates at the local and state as well as federal levels. The authors, sociologist Nelson Arteaga Botello of the Autonomous University of the State of Mexico, and sociology student Adrián López Rivera came up with an ingenious way to document the mechanisms of corruption. Adrián López Rivera enrolled in a police academy and after graduation joined a municipal police force. To his colleagues, he seemed to be just another recruit. But behind the disguise he was carrying out his vocation as a social scientist, documenting every interaction and conversation in copious notes.

In collaboration with his professor, he wrote up his experiences for the Mexico City monthly magazine Nexos, which published them in two installments in April and August 1998. The following translation, excerpted to unify the installments, offers a graphic portrait of a situation in which corruption is the norm and honest performance of one's nominal duty is treated as deviant behavior. The problem lies not with a few rogue cops but with the entire political culture. This study suggests that despite the best intentions of President-elect Fox reform will not occur overnight.—Andrew Reding

The reasons a person decides to become a police officer, at least in the cases we analyzed, are the following: to accumulate capital to start a

business; to recover a loss (home, savings, land); to make easy money; and, in only a very few cases, a genuine interest in law enforcement.

The life of those who aspire to become police officers is unquestionably difficult. Most have had a personal history involving law breaking, violence, bitterness and resentment, and drug consumption, and few have gone beyond a primary or secondary education.

A large number of applicants are immigrants from other Mexican states who are in search of a better life or have legal problems that lead them to leave their place of origin. In the city, they find work in the informal or semi-informal sectors. A few of them have a skill—carpentry, metalworking, radio and television repair, chauffeuring—which affords them an opportunity to find employment. Others with ties to narcotics or stolen-goods distribution rings see police work as a chance to expand their distribution and sales networks. There are also persons who have been police officers most of their lives, and have gone from one police force to another, after being discharged for violent behavior, corruption, or links to drug trafficking and consumption.

In what follows, we describe a few representative life histories. It should be noted that when these men were asked why they chose to join the police force, the typical response, given in the company of peers and usually under the influence of marijuana, was "for money," to which they would add a brief life history, in which certain facts stood out.

My Own Bus

Alejandro sees police work as a way to build up savings to establish his own business. He's originally from a rural part of the state of Mexico, is 23 years old, has been married three years, and has a child. He graduated from secondary school and worked as a bus driver before applying to become a policeman. He was persuaded to apply by four friends. He wants to be a policeman "for three years, because that way, between pay and bribes, I'll be able to purchase my own bus."

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Alejandro is among the few applicants whose past is not scarred by violence.

Miguel's case is different. He joined the police to make money and to "recover what destiny and the police" took away from him. His first daughter was born when he was 18. After working in a slaughterhouse, Miguel joined the fire department. But within a year, he was detained for possession of drugs. In the prosecutor's offices, they asked for his voter identification card and other personal information.

The last name and address coincided with the person they were looking for; all that was missing was to find out whether he was "El Mosco." That was his brother's nickname. He did not give his brother up, and instead said he was the person they were looking for. He was incarcerated in the Reclusorio Norte, charged with possession of drugs, robbing residences, and a holdup at a clothing factory. His brother visited him from month to month, for the sole purpose of persuading him that it was best to keep on assuming his false identity.

Miguel comments:

My brother and his gang would come and tell me they were working on getting the money an official requested to obtain my freedom, but the months kept on passing. As an inmate, I had acquired a reputation for being violent. Ten months passed, and I finally got out after my mother sold her house to obtain the money to free me. My job as a fireman awaited me, thanks to the chief, but I didn't return to it because only as a policeman could I recover the lost money and my mother's home. That's what I was told by my cousin Roberto, who is a patrolman.

Rodrigo is originally from Vera Cruz. He's 22, single, and left school in the first semester of training as an electrical technician. He killed a person in his hometown:

I went to his house and with five machete slashes I killed him, and for no more than fucking around. Because one day, drunk and half smothered with *mezcal* [a Mexican alcoholic beverage distilled from

agave] in the town bar, my brother came looking for me to help me get home because I was in bad shape. But there was still a lot of *mezcal* in the bottle, and since we kept on drinking, my brother kept coming back, awaiting the moment I would stop drinking with Carmelo, who now rests in peace. Carmelo was looking at my brother, when he made the comment that cost him his life: "Hey Rodrigo, your brother seems like a fag, the way he moves, and when I look at him he smiles; they say in town that he likes to go out at night in your sister's clothes in search of a husband."

Rodrigo left his hometown and moved in with his sister. He worked in the Gillette factory for a year, and his wages enabled him to rent a room. Then he was laid off and applied for a position with the Municipal Police, after being encouraged to do so by a neighborhood friend: "As a policeman, no one will come looking for me for killing Carmelo."

There are those who make police work a way of life, passing from one department to another, as in the case of Alberto. He's 29, separated from his wife, with one child. He's been a policeman since he was 18. In 1988, he became a police officer in a municipality of the state of Mexico; a year later he joined the Preventive Police of the Federal District.

Because his beat included part of the capital's central plaza, his relationships with street vendors, prostitutes, and homosexuals were part of his daily routine. On one occasion, while on patrol in the center of Mexico City, he ran into two prostitutes taking drugs. He made them get into the patrol car, and negotiated: he would let them go free if they would have sex with him and his patrol partner. The two couples shared a hotel room. "Moments later, there were knocks on the door, and my commander entered the room with other policemen."

Alberto was arrested, and discharged a few days later. A few months later he was charged with rape and moved elsewhere, joining a state police force. He remained with the state police for three years until being discharged for alcoholism and drug addiction. He then decided to accompany his brother to the United States, but he didn't make it at first. He stayed in Tijuana for a while, working

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as a bouncer at a bar. After six months he made it across the U.S. border and worked as a kitchen aide in a restaurant. But alcohol, drugs, and venereal disease interfered with his work record, and two years later he went back to Mexico with the objective of returning to police work.

Javier was a member of the motorcycle transit police of the Federal District. He says the best location for extortion is the intersection of Reforma and Insurgentes Avenues, because many wealthy adolescents pass through there at night, drunk and speeding. But better yet than detaining them for those reasons is to wait until they're involved in an accident or hit someone, and then have to place a telephone call. "In no time their relatives arrive with loads of cash."

According to Javier, his dismissal was provoked by ambition. One day, in the early hours of the morning, he waited for "the juniors" to emerge from the discotheques. He and his partner had already gathered a considerable sum of money, rings, a gold medallion, and a woman's overcoat, "one of those heavy, soft ones." All of a sudden they heard a big noise coming from a neighboring street, which they immediately investigated. A person had run his car into a pole. He was still alive, but that didn't matter. They stole his wallet containing 800 pesos, rings, gold chains, a watch, and a suitcase with clothing. But when they opened the trunk and found a small bag full of dollars, the man began to react:

My partner...began hitting the individual, who was already bleeding to death, with his pistol. My partner, who was going crazy, ended up disfiguring his face. We had thought he was unconscious, or at least unable to recognize us. We left him that way to slowly bleed to death. Then the neighbors reported the accident and they picked up the dead man. All was well until the relatives started asking for the belongings of the deceased, and one of them discovered that the taco vendor two blocks away was wearing the dead man's ring. That's when the investigation began, and it was discovered that those were our favorite tacos.

After Javier was fired, he started looking for work, but as soon as he told anyone he had been a

policeman, they turned him away. That's when he decided to join the police of a nearby municipality.

Learning How to Mine Gold

Like any other social organization with a defined structure, the police create an order, a hierarchy, and, above all, values that make possible the reproduction of certain attitudes and behaviors. Though the academy trains cadets not only to carry out their job but to extort as well, the street is the true school of police life. It is there that the cadet puts into practice what he has learned and modifies it to suit reality.

In their first days of active duty, new police officers learn behaviors and attitudes that allow them both to extort and survive, because the danger of losing one's life is always a possibility. The novices become integrated into the life of the zone to which they are assigned, where experienced police officers teach them how to go about doing things. In this sense, the process of integration has two distinct phases. First, there is the development of an esprit de corps between the upper ranks and the novices. Once this is accomplished, the rookies are prepared to handle themselves in a manner that makes possible the systematic reproduction of corruption.

In one case, a zone commander welcomed new officers in an office, in a corner of which stood an altar with images of saints and the Virgin of Guadalupe, while a sign on the wall proclaimed, *Discretion Is the Virtue of Every Good Police Officer.*

We need young people in the zone, enthusiastic folk with a calling for a police career; capable men strong enough to handle long and difficult days. In 1977, when I joined the force, almost all the men were older, but, in spite of that, they had spirit, they knew police tactics, they exercised control over the zone. Nothing and no one escaped from them; they were like hunting dogs, police officers who perished in the line of duty, who could not be surprised or frightened by anything.

The commander spoke to the novices about his own life as a policeman, perhaps to help them

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identify with him. He said he was 48 years old and married, with six children. He had no more than a fifth-grade education. In 1977, he joined the municipal police, and three years later was named zone commander, thanks to a friend who was a municipal official. But that very year the municipal government changed hands, and the incoming government took note of rumors about protection money the commander was said to be collecting from businesses, stores, and stall-holders in the town marketplace that were within his jurisdiction. He was removed, but after a restructuring of the upper ranks—with the advent of another administration—once again became zone commander.

Once each of the cadets had concluded a brief biography—concealing, of course, the real reasons for joining the police force, and any dark secrets—the commander used his radio to issue an order to the zone's patrol cars to come to his office, while giving notice:

Today, because it's your first day in the zone, you will make the rounds of the neighborhoods, you will see the boundaries of the zone, together with its most problematic points. It's important that you keep in mind that we are dealing with one of the most troubled zones in the *municipio* [equivalent to a county in the United States]. The zone has serious problems with alcoholism, drug addiction, homosexuality, and prostitution; with more localized problems of youth gangs, street vendors, and organized crime.

Here, young men, there are no *entres* [payments up the chain of command, to share the take in bribes]. You have no obligation whatsoever to your commander, nor to the shift officers. Yours truly does not tolerate extortion, let alone any kind of corruption. However, the zone can be characterized as a gold mine, and all it's missing is some good miners. You will answer to the head of the first shift, who will explain to you his arrangement. Finally, I welcome you and wish you good luck, hoping you will fit in with the rest of the group, a group that functions as a family.

When the patrol cars arrived, the commander directed each novice to pair off with an

experienced police officer. Though the commander had made clear that there were no *entres*, the reference to the zone being a gold mine and that all that was lacking were good miners, combined with the fact that the shift commander was in charge, led the new police officers to understand that it was precisely to him that the *entre* was to be given. Their suspicions became confirmed during the first tour of the zone. On the street, the novices learn from the veterans, and what they learn depends on the teacher; and, in fact, a novice can have several guides who show him the peculiar ins and outs of police life. In what follows we present the case of a newly enrolled police officer who had the chance to be a student of three prominent officers with lengthy careers in public service.

The Lessons Begin

Jorge gave Eduardo his first lesson on how to be a good police officer: the orders of superiors must be obeyed without the slightest hesitation or doubt. "Don't question the commanders, shift officers, officials or even senior officers, because authority is always right. If one of them gives you any indication or suggestion, just obey him, even if it seems contrary to what you think or want. Authority is always right."

The second lesson was given out: you must let veteran police officers teach you that extortion is an art that must be learned from them and must be carried out with caution. "Another thing: it's better to work with an experienced fellow from the zone, a senior police officer, who is familiar with the zone and the methods of extortion. A recent graduate often wants to rob or extort without understanding the consequences. Money must come in little by little, without forcing anything, without affording any opportunity to get caught. Do you know that there are cases in which, after just two months of service in the zone, police officers are discharged for trying to become overnight millionaires?"

As Jorge was giving his lessons, Eduardo inspected every inch of the patrol car, inquiring about the purpose of this or that colored button. The automobile stopped in front of a small fruit stand,

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where the veteran officer asked to be given two of the largest and juiciest apples. As they got underway again, the novice, following Jorge's advice, observed with great care each neighborhood they passed through. Come nightfall, the patrolman explained to the rookie that it wasn't just a matter of working the streets, that there were also ways to have a good time in a zone bathed in prostitution. "Okay now, partner, if you want a woman to quench your fire, what you need to do is get out of the patrol car and pick out the woman you want. And if she doesn't want to, force her into the patrol car and take her to the station. Try it out and you'll see."

The zone was full of prostitutes and homosexuals hurriedly crossing the street on their way to the bars. Mouths with red lipstick and short skirts incited passersby to discover what was hidden behind a curtain of smoke and red lights in each bar and cantina. With dawn, the shift ended, and the patrol car returned to headquarters.

On the next shift, the rookies were introduced to the rest of the zone's police officers. There were shouts: "We welcome you.... Now my boots will take on a new shine.... You're being baptized."

Once the commander had called the roll, the formation dispersed and the "baptism" got under way. The rookies were doused with pails of cold water, then whipped with wet towels, and finally kicked around a bit. Everyone laughed as they watched the travails of the newly baptized rookies. As Gustavo puts it: "The baptism is the way we receive and welcome each of the new companions; you will have the same opportunity with the new arrivals, once they leave the academy."

The First Shift

Following the initiation ritual, the commander returned to make assignments for the first shift, seeking to pair novices with experienced policemen. The parameters for determining who would be a patrolman or an escort (sidekick), or who would be assigned to a watchpost, were related to the ability to drive a patrol car—possession of a driver's license—or in the ability to memorize and interpret radio codes.

Thus, for example, Alberto and Heriberto were made escorts because they did not know how to drive. Heriberto teamed up with his brother, who was in charge of a patrol car. Octavio, with his experience as a truck driver, was trusted with the steering wheel of a patrol car; he was accompanied by El Chango, a veteran of the zone. Because of their military experience, Pedro and Raúl were assigned to watchposts in the most difficult neighborhoods.

The shift began at nine in the morning. The police were assigned their destinations, the patrolmen checked their vehicles, turned on their radios, and gave the signal that informed the commander that they had begun their patrols. The patrol cars pulled out into the street. Last to leave were José and Eduardo, who walked to the market nearby.

José: "Have you had breakfast, partner?"

Eduardo: "No."

José: "Well go for it, because otherwise the donkey doesn't walk."

Breakfast at a taco stand lasted more than an hour, after which the patrol got under way. José began giving the rookie his first tips on what a police officer does, which would become the third lesson—the importance of money to survival in the police force:

Look, partner, we are here to get all the money we can, and if you come at this with other ideas you won't fit into the group, and will therefore be of no use as a police officer. You're here because you want to get rich overnight. Don't trust anyone here, neither your companions nor citizens; don't bend to anyone.

Here in the zone, as in all of the police force, don't inform about what is done and what is heard. There are no names, nor attributes of companions and commanders. Never doubt anything that seems suspicious to you, because it is doubtless suspicious—go check it out, because it's money.

You should always be alert to what is happening around you, don't let anything or anyone surprise

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you. Search, sniff, observe, and discover. Everything in this job is money. After you get experience as a sidekick and then as a patrolman, you'll realize that what I'm telling you is true. Everything inside the police force is handled with money. No favor from companions, commanders, or the upper ranks is by good will. Everything must be paid for.

The two policemen continued their rounds. Turning a corner, they surprised two people drinking beer on a bench. That's when Eduardo got his fourth lesson—and his first practical one: a police officer's proper form of extortion. They detained the youths and took them to the patrol car. After a long drive, they pulled over on a quiet street.

José: "All right now, boys, would you like me to alleviate your problem of drinking in the public right of way, or would you like to spend 36 hours locked up?"

Detainee #1: "No, officer."

José: "Well, what are you going to do?"

Detainee #2: "All we've got on us is ten pesos."

José: "No way, what do you mean only ten pesos? What I want is money, but not ten pesos. I suggest you guide me to your home.... In all likelihood your relatives have a little more money."

The two individuals accepted the proposal. Before arriving, the patrolman told Eduardo to cover up the patrol car number with his body, by leaning against the car door. Just as soon as the family members were informed of the problem, the father shouted to the mother to give the policeman 50 pesos. When the latter received the money, he bid the family a friendly goodbye, reminding them of the importance of keeping an eye on the children to keep them from breaking the law, above all when there are police officers who are doing everything possible to enforce it.

The policemen continued on their rounds, as the patrolman explained—in a fifth lesson—the importance of covering oneself as best as possible while engaging in extortion: "Be careful to hide the

patrol car number. One must create as much confusion as possible in case people decide to complain. You can use your cap to cover your face. When the accuser is unsure of the patrol car number and of the police officer who engaged in extortion, then everything favors the police officer, and that's when you screw 'em."

With nightfall, the two policemen hung around a bit, awaiting the beginning of the rounds by convoy, that is, in the company of other patrol cars that, in single file, make the rounds of a section of the zone. The objective is to put on a show of force in the streets, to show people the police are watching over their neighborhood. Nevertheless—and here's where the sixth lesson began—the convoys also serve to extort from groups of youths who drink alcoholic beverages in the streets and in front of their homes. José says:

On weekends, and even more so on warm nights, many people, especially young people, hang out with friends in front of their homes. They talk while drinking beer and listening to music. So there is much to do. First one detains one or two of these persons who are having a good time outside the door to their home. The others come to their friends' aid by collecting money to release them. Second, as all of them run off, they forget the tape deck and everything else they were entertaining themselves with. That's where the sidekick comes in. You must take all you can. Things that have value, obviously—don't pick up pieces of shit. And immediately cover the patrol number to avoid any complaint.

This type of operation yields a lot. If you afterward add up the monetary value of the things you've picked up, you'll see that in very little time you can acquire your own business. But that is something you need more than two police officers for. We must await the arrival of additional patrol cars, because this business occurs in low-income neighborhoods where they are real sons of bitches.

With about half a dozen of the zone's patrol cars gathered together, the convoy got under way, consisting of some 16 police officers. Heavily armed, they entered the lowest income areas. The caravan was organized by a leader, with the

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following characteristics: 1) seniority; 2) knowledge of the territory and persons in each neighborhood; 3) precise knowledge of the organized social groups in the zone; 4) experience in dealing with the municipal administration.

The leader organized the work in the following manner: first, he decided how the patrol cars would station themselves; second, he decided who would use shotguns and who would use handguns; third, he indicated who would search those who were detained; fourth, who would bring them to the station for booking, and in case that should happen, who would accompany them; fifth, advised on what to steal, and what not to steal; sixth, indicated who to detain, how to detain them, and how to extort from them; seventh, collected and divided up the money and other articles obtained in the process.

The Most Eloquent Lesson

But without a doubt the seventh lesson Jorge gave him was the most eloquent for a novice. One day, Jorge accidentally fired his weapon while involved in a dispute between neighbors. The bullets struck a 19-year-old student and a 46-year-old worker. Jorge and his partner were arrested and turned over to a judge from the public ministry for investigation. Thanks to a bribe, the investigation was inconclusive. Nevertheless, from that point on they could not return to that zone and police force.

For 300 pesos, José's patrol car was transferred to another patrolman. Eduardo was assigned to a police post in the zone, where he had to patrol three neighborhoods by foot. With his new assignment, Eduardo had to do the rounds of marketplaces and small shops, collecting along the way the offerings of the shopkeepers. He returned to his post at noon. But the nights were terrible. Beggars, prostitutes, and street children wandered about and made love under cardboard boxes in out-of-the-way spots. The nights became unbearable. Being relieved from the police post became his priority. Fortunately, another patrolman doing his rounds in a police car visited Eduardo and told him how he could get out of that post. In so doing, he reminded him of the lesson about the policeman's purpose, which he had

apparently forgotten: "You're here for one simple reason, which is because you have not paid off the commander. José must have told you that, shift after shift, you must pay off the commander. If you don't do that, you're not a good policeman. Whether a policeman gets assigned to a post depends on the zone's shift supervisor, and the posts get occupied by those who do not turn in the daily *entre*."

A New Teacher

Eduardo offered 100 pesos to the shift supervisor, and was reassigned to a patrol car as an escort. Eduardo's new teacher, Mario, a four-year veteran of the zone, explained his work style: "I like money but don't like to fuck people over.... I don't like to spend a lot of time talking to people.... I don't like to have to deal with soldiers.... I don't like dealing with prostitutes and homosexuals.... I believe in the saying that if you want to become an old policeman, make like you're an idiot."

Mario went about gathering rents from stores, home-brew wine shops, and *pulque* vendors {*pulque* is a home-brewed alcoholic beverage made from fermented agave juice}, concluding around noon. At 1:00 P.M., he went to sleep for his siesta. He woke up four hours later to make the rounds of the zone. They ran into two individuals fighting outside a cantina, but the patrolman paid no attention. On the zone's principal avenue, they came across two soldiers drinking beer and arguing, but passed them by. In the secondary avenue, they got a report of two individuals holding up a beauty shop, but didn't answer the call. At about 8:00 PM, a woman approached, crying, her clothing soiled, complaining that her husband had beaten her. The police officer didn't pay her any attention either. About 9:00 P.M., a taxi driver reported that he had been assaulted. The officer responded: "If they assaulted you, it was for being an idiot!" At 11:00 P.m., the patrolman went to sleep. At about 7:00 A.M., he got up to watch over the Liconsa dairy products stores; five minutes in each of them were enough to gather several bags of milk. At 9:00 A.M., he turned in the patrol car...and the *entre* to the commander. Then he left with his bags of milk in hand.

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On the following shift, Mario again explained to Eduardo the first, and apparently basic, lesson for every policeman—collecting rents {protection money}.

You must have a really good idea what the rents are; José must have explained it really well to you. Rents are how the policeman collects from persons who sell beer, *pulque*, and wine without a permit. It's how the policeman gets money for offering security to shops, winestands, cantinas, bars, *pulque* stands, butcher shops, beauty shops, barber shops, etc. It's an arrangement between the owner and the policeman. One doesn't just work for the sake of working. You will assist those places that pay for service; those who don't cooperate can go to hell.

Patrolmen collect the rents at the very beginning of the shift. The important thing is to earn them. At first, people distrust the police officer they do not know. It's important for you to note carefully the people who cooperate, so that they come to recognize you, and that way you alone collect the rents.

But he gave another lesson—the eighth in less than three weeks—that explained the discretionary power a policeman acquires if the shops in the zone decide not to pay their rents:

Many people know what the rents are, others don't. In that case you must explain that it's the way the commander collects in order to let them sell within the zone. Obviously once store owners become accustomed to paying the rent and then stop offering the customary cooperation, they become liable to being disturbed, and in the case of cantinas that resist cooperating, they render themselves liable to having the police rape the prostitutes. As you will see, everything in this business is reciprocal. People give money so that the honest policeman carries out his duty in the best way possible. You'll see that now.

The patrolman continued his rounds, stopping in every store and bar. As he did so, he again told the rookie to be careful not to ask too much in the way of rents, because otherwise it could set off a spiral of confrontation between policemen and the

owners of certain businesses, especially those dedicated to prostitution. Just before 1:00 PM, Mario took a break, taking a nap in the patrol car, while Eduardo monitored radio communications.

That's how Mario works every day. He's not interested in extortion, or anything that involves direct contact with people, and that complicates his life. But Mario does understand that one has to provide the *entre*, and that it is obtained by collecting payoffs from each business in the zone. For that reason Eduardo decided to change partners, to be with a more experienced patrolman, with greater expectations, who would work with the intention of being a good miner.

The Final Lesson

Eduardo then gave his shift officer a 100 peso *entre* to be reassigned to a different patrol with a different kind of partner. The transfer occurred without any problem. The next teacher gave him more lessons. His reputation transcended the boundaries of the zone and even the police force. His alias was "El Simpson."

El Simpson—Ricardo, to anyone who wasn't a friend of his—is without a doubt an extreme case. For him, collecting rents is more than a competition with his fellow officers. It's a struggle against time. He's always impatient, especially when entering or leaving each store, cantina, or moonshine joint. Spending the least possible time is his objective.

It is from Ricardo that Eduardo learned the ninth and final lesson about being a police officer: by wearing a uniform, anyone can enjoy as much impunity as his imagination and avarice will allow.

For the last several years now the municipal and state police in all the principal Mexican states and cities bordering the U.S. (Baja California (Mexicali/Tijuana); Sonora (Hermosillo/Nogales); Chihuahua (Chihuahua/Ciudad Juarez); Coahuila (Saltillo/Ciudad Acuña); Nuevo Leon (Monterrey); Tamaulipas (Ciudad Victoria/Reynosa/Nuevo Laredo) have been co-opted by the narcotraffickers and used to provide current intelligence on federal police and military movements.

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Japanese Police System

1 - HISTORY OF POLICE AND EVOLUTION OF POLICE SYSTEM

During the period extending from 1874, when the "Keihoryo" (Police Bureau) was created within the Ministry of Home Affairs, to 1945, when World War II ended, the Japanese police had the centralized organization throughout the country under the Ministry of Home Affairs, which supervised and directed all police in the country.

After the war, in 1948, a new Police Law was enforced. This law aimed at carrying out a drastic change of Japan's prewar police system. It was epoch-making in espousing the idea of a democratization and decentralization of the police force. The salient points of the reform were as follows:

- The responsibilities of the police were limited to "protecting the life, person and property of the nation, investigating crimes, arresting suspects and maintaining public peace and order in the country." As a result, firefighting, health and sanitation services, and other functions were regarded as non-police functions and assigned to other administrative agencies. On the other hand, the jurisdiction of criminal investigation, which had been considered basically as under the authority of public prosecutors, was vested upon the police.
- The Public Safety Commission system was introduced at both national and prefectural levels as a democratic system to control the police and to ensure their political neutrality.
- The police organization was divided into two. Each municipality with a population over 5,000 had its own police organization (municipal police) and all other areas were integrated under the framework of the National Rural Police Force. This Police Law which took the American police system as a model, however, did not harmonize, in many ways, with the actual conditions existing in Japan. That is: - The geographical segmentation of police units under the municipal police system was not suitable for ensuring the efficient operation of the

police force and imposed a heavy financial burden on each municipal government.

- The dual system of the National Rural Police and the municipal police was irrational from the standpoint that police work has both national and municipal aspects. - Because municipal police forces were independent of the central government, the responsibility of the State or of the national government with respect to maintain public peace and order was not clear. In order to solve these institutional problems, the current Police Law was promulgated on June 8, 1954 and became effective in July 1 of the same year. The 1954 law was designed to correct the defects of the previous system while retaining intact democratic character of the system.

The 1954 law affected the following reforms:

- While the Public Safety Commission system was preserved to ensure the democratic control of the police and its political neutrality, the responsibility of the national government for the maintenance of public peace and order made clear by assigning a Minister of State to the chairmanship of the National Public Safety Commission.
- The dual system of the national rural police and the municipal police was abolished, and all police forces were integrated into the prefectural police system.

It was from the standpoint of making the operation of the police forces efficient and economical, also enabling the prefectural police to meet national needs while retaining the merits of the municipal police. As a result, the enactment of the existing Police Law gave birth to a police system suitable for the actual conditions of the country. Thirty-five years since its enactment, it has become firmly rooted as the foundation on which police activities in Japan are based.

2 - POLICE ORGANIZATIONS

The present Police Law stipulates that the fulfillment of the responsibilities of the police such as "protecting the life, person and property of individual persons" and "maintaining public peace

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and order" be collectively consigned to prefectural governments from the central government and that such police duties are executed by the prefectural governments. It also provides that the national government set up its own police organization to control and direct the prefectural police regarding certain police duties in accordance with their specific national character. Also, as in the case of the old Police Law, public safety commissions are established at both national and prefectural levels to control the police.

2.1 - POLICE ORGANIZATIONS AT NATIONAL LEVEL

The National Public Safety Commission and the National Police Agency are police organizations at the national level.

2.1.1 - National Public Safety Commission

An administrative commission operating on the basis of liaison and coordination with the Cabinet, the National Public Safety Commission is a government body responsible for the administrative supervision of the police.

Although the National Public Safety Commission is under his jurisdiction, the Prime Minister is not empowered to direct and give orders to the Commission. This arrangement is intended to ensure the independence of the National Public Safety Commission and to guarantee the neutrality of the police in politics.

The National Public Safety Commission is responsible for the administration of the police in matters relating to public peace and order in the country, for the administration of matters concerning police education, police communication, criminal identification, criminal statistics, and police equipment, and for the coordination concerning police administration. In order to execute these duties, the National Public Safety Commission controls the National Police Agency. "To control" in this context means laying down basic policy and making the National Police Agency conduct police affairs accordingly. Supervision of the prefectural police in regard to these police affairs is conducted solely through the National Police Agency, and the

National Public Safety Commission is in no position to supervise the prefectural police directly. The National Public Safety Commission may establish National Public Safety Commission regulations with respect to matters within its competence as specifically authorized by law.

The National Public Safety Commission is composed of the Chairman and five members. A minister in the Cabinet is appointed as the chairman of the Commission. The chairman presides over Commission meetings and also supervises matters relating to the operation of the Commission.

The Commission members are picked from among persons who have not been in the public service related to police or public prosecution in the preceding five years, and are named by the Prime Minister with the consent of the House of Representatives and the House of Councilors. Their terms of office is five years. In order to insulate the Commission from political pressure, it is forbidden to appoint more than three members who are affiliated with the same political party.

2.1.2 - National Police Agency (Hereafter referred to as "NPA")

2.1.2.1 - Organization and Authority

The head of the NPA is the Commissioner General who is appointed and dismissed by the National Public Safety Commission with the consent of the Prime Minister. Under control of the National Public Safety Commission, the Commissioner-General administers the tasks of the NPA, appoints and dismisses Agency employees, and supervises and controls the prefectural police regarding the affairs under the jurisdiction of the Agency.

The NPA's organization consists of Commissioner-General's Secretariat, Police Administration Bureau, Criminal Investigation Bureau, Safety Department, Traffic Bureau, Security Bureau, and Communication Bureau.

Under control of the National Public Safety Commission, the NPA performs the following duties:

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- Planning and research of various systems relating to the police
- National budget related to the police
- Operation of police forces in the event of incidents affecting public peace and order on a national scale, such as large-scale disasters and disturbances
- Formulation and implementation of plans to cope with an emergency situation
- Traffic control on trunk highways across the country
- International investigative assistance
- International emergency aid activities
- Imperial Guard
- Maintenance and management of police educational institutes and other matters pertaining to police education
- Maintenance and management of police communication facilities and other matters pertaining to police communication
- Maintenance and management of criminal identification facilities and other matters pertaining to criminal identification
- Criminal statistics
- Police equipment
- Standards pertaining to recruitment, duties and activities of police personnel
- Adjustments pertaining to police administration
- Inspection of matters relating to the responsibilities of the NPA

The NPA also assists the National Public Safety Commission in its duties as provided by law.

2.1.2.2 - Regional Police Bureaus

The NPA maintains Regional Police Bureaus as its local organizations to carry out part of its functions. There are throughout the country a total of seven Bureaus in the major cities of each region except Tokyo and Hokkaido. Tokyo is excluded as the site of a Regional Police Bureau in consideration of the special circumstances under which the Metropolitan Police Department has long been established and it shares the same location with the NPA. A Regional Police Bureau is not set up in Hokkaido because the Hokkaido Prefectural Police headquarters has the whole of Hokkaido under its jurisdiction.

The Director General of each Regional Police Bureau is responsible for the tasks of his bureau, supervises the police personnel under him and, acting upon orders from the Commissioner General of the NPA, also supervises the work of its regional prefectural polices.

2.1.2.3 - Organizations Attached to the NPA

The NPA has, as its affiliated organizations, the National Police Academy, the National Research Institute of Police Science and the Imperial Guard Force.

The National Police Academy was created to provide education and training necessary for senior police officers and to carry out academic research on police-related matters.

The Academy is made up of nine departments, including the Criminal Affairs Department, Safety Department, Traffic Department, Security Department, and Research Department. Experienced police officers in each field serve as instructors. Also attached to the Academy are the Highest Training Institute for Investigative Leaders, the International Research and Training Institute for Criminal investigations, and the Police Communications School. These institutions are intended to train specialists in respective fields.

The National Research Institute of Police Science conducts research and experiments on scientific investigation, examinations based on the applied

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use of results of research, and research and experiments on the prevention of juvenile delinquency and traffic accidents. The National Research Institute of Police Science has five departments: General Affairs Department, First Forensic Science Division, Second Forensic Science Division, Crime Prevention and Juvenile Delinquency Department and Traffic Department.

The Imperial Guard headquarters is responsible for escorting the Emperor, the Empress, the Crown Prince and other members of the Imperial Family, and guarding the Imperial Palace and other Imperial facilities. The Imperial Guard has three departments - Police Administration Department, Security Department and Escort Department.

2.2 - POLICE ORGANIZATIONS AT PREFECTURAL LEVEL

The present Police Law stipulates that each prefectural government, which is a local public entity, shall have its own prefectural police which will carry out all police duties within the borders of the prefecture.

The Prefectural Public Safety Commission, the Metropolitan Police Department and prefectural police headquarters are prefectural-level police organizations.

2.2.1 - Prefectural Public Safety Commission

The Prefectural Public Safety Commission, which is an administrative committee functioning under the representative system, is an administrative organ to supervise the prefectural police. This Commission is under the jurisdiction of the governor, who, however, is not empowered to either supervise or give orders to the Commission.

The Prefectural Public Safety Commission supervises the prefectural police force, but it simply formulates the basic policy for their operation and does not supervise the details of their tasks. The prefectural Public Safety Commission may establish Public Safety Commission regulations as specifically provided by law, in matters under its jurisdiction.

A Prefectural Public Safety Commission is composed of five members in the case of large prefectures, and three members in smaller prefectures. The chairman is chosen by vote of the Commission members.

Commission members are picked from among residents of each prefecture who have not been in the public service related to the police or public prosecution in the preceding five years and are named by the governor of the prefecture with the consent of the prefectural assembly. Their term of office is three years. The number of members affiliated with the same political party shall not be such that they would constitute the majority in the Commission.

2.2.2 - Tokyo Metropolitan Police Department and Prefectural Police Headquarters

2.2.2.1 - Organization and Authority

The headquarters of the police force in Tokyo is the Metropolitan Police Department, while that in all other prefectures is the Prefectural Police headquarters. Operating under the supervision of the respective Prefectural Public Safety Commission, the Metropolitan Police Department and the Prefectural Police headquarters undertake police work in their respective areas, and also assist the Prefectural Public Safety Commission in work within its competence.

The head of the Metropolitan Police Department is the Superintendent General and that of the Prefectural Police headquarters is the Chief. They are responsible for police duties and supervise the police personnel under them.

The Superintendent General of the Metropolitan Police Department is appointed and dismissed by the National Public Safety Commission with the consent of the Metropolitan Public Safety Commission and with the approval of the Prime Minister. The Chief of the Prefectural Police headquarters is appointed and dismissed by the National Public Safety Commission with the consent of the Prefectural Public Safety Commission. The procedures for the appointment and dismissal of the Superintendent General of the

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Metropolitan Police Department differ from those for the Chief of the Prefectural Police headquarters because of the national importance of the metropolitan police.

2.2.2.2 - Police Stations, Police Boxes and Residential Police Boxes

The Tokyo Metropolitan Police Department and Prefectural Police (Hereafter referred to as "Prefectural Police") divides its territory into districts, each of which is under the jurisdiction of a police station. The Chief of Police Station is responsible for policing the district and supervises the personnel of his station under the supervision of the Superintendent General of the Metropolitan Police Department or the Chief of the Prefectural Police headquarters. As a first-line operational unit of the Prefectural Police, a police station performs the most vital role in the execution of police duties which are closely related to the lives of local inhabitants.

Each police station has police boxes and residential police boxes as its subordinate organizations. Patrol officers are assigned for the police boxes and residential police boxes. They are in charge of the sub-divisions into which the district under the jurisdiction of a police station is segmented, and they also perform the role of contact point between the public and the police.

2.2.2.3 - Mutual Relations Between Prefectural Police Forces

As a basic rule, each Prefectural Police executes its duties within its own prefecture boundary. However, for the efficient execution of duties, the Prefectural Police is allowed to exercise its authority beyond its territorial jurisdiction whenever it is justified by the necessity to do so in suppressing and investigating criminal acts, arresting suspects and performing other duties. Hence, Prefectural Police is authorized to carry out, outside its territory, the investigation of a crime which is related to a crime perpetrated within its territory, and also is related to a suspect arrested within its territory for possible involvement in other crimes.

The Prefectural Police is also authorized to extend its authority into the territory of a neighboring Prefectural Police in handling a case that occurs in an area near the prefectural boundary, in accordance with an agreement reached in advance through mutual consultation.

In addition, with respect to a large-scale incident which is difficult for a Prefectural Police to deal with single-handedly, the Public Safety Commission of the prefecture can solicit assistance from the NPA or other Prefectural Police by informing the NPA of the case in advance. Investigators thus dispatched from the NPA or other Prefectural Police can exercise their power within the territory of the Prefectural Police in question, under supervision of the Prefectural Public Safety Commission which has requested the assistance.

3 - ROLE OF POLICE IN JAPAN

The duties of the police in Japan are stipulated by the Police Law as "protecting the life, person and property of an individual citizen, preventing, suppressing and investigating crimes, controlling traffic and also maintaining public safety and order". In order to carry out these duties, police engage in various activities. The main subject of the police duties is the control of crimes. In addition, the police attend to a wide range of administrative duties to maintain public peace and order.

With regard to the control of crimes, the Code of Criminal Procedure provides that "when a judicial police officer deems that an offense has been committed, he shall investigate the offender and evidence thereof". This gives police officers the authority to investigate all kinds of offenses, including those affecting public peace and order. Hence, the police are empowered to crack down on all violations punishable under all laws as well as to investigate criminal offenses.

Usually, a case investigated by the police is handed over to the public prosecutors' office, and public prosecutors decide whether to prosecute or not. The right of investigation is held also by public prosecutors, just like the police. In actual practice, however, prosecutors basically confine their

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activities to sustaining prosecution and conduct only supplementary investigations.

As for other authorities with investigative powers, Article 190 of the Code of Criminal Procedure provides that "officials who should perform duties as judicial police officers to investigate special cases and the scope of their activities is provided by separate laws." Such judicial police officials are Maritime Safety officers and the narcotics control officers. However, the number of special cases as provided by law is extremely small.

In addition to the control of crimes, the police perform many other duties to maintain public peace and order. The following are principal administrative responsibilities which the police fulfill under related laws:

- Under the Road Traffic Law

The police perform administrative functions covering the entire spectrum of matters relating to road traffic, such as issuing drivers' licenses, dealing with administrative punishment of canceling the license of vicious traffic offenders, regulating traffic by setting up road signs and traffic signals, issuing permits for the use of roads such as for parades, conducting traffic education and supervising driving schools.

- Under the Law to Control Businesses Affecting Public Morals and to Regulate Their Business

In addition to issuing business licenses to entertainment establishments, including bars and night clubs, the police receive reports of opening of establishments like strip-show theaters, and conduct on-the-spot inspection to supervise those businesses which might affect public morals. Besides cracking down on illegal acts in these businesses, the police are empowered to take punitive action, including suspending the business of offenders.

- Under the Private Security Business Law

The police authorize security companies that provide protective services by using guards and security facilities, extend guidance to the training

and management of their guards and other personnel, and supervise them through on-the-spot inspection and other measures. In case these are companies found to have violated the law, the police can order suspension of their business.

- Under the Law Controlling Possession of Firearms and Swords

By this law, the possession of firearms and swords is generally prohibited in Japan. Private possession of firearms and swords are strictly controlled under license issued by the Prefectural Public Safety Commission. The police also oversee the safekeeping of firearms by means such as on-the-spot inspection, and, in case it deemed necessary, take such actions as revoking the license. Banning the possession of firearms and swords by this law, is said to be one of the main reason that Japan is highly praised by many foreign countries as a "well policed country."

- Under the Pawnbroking Business Law and the Antique Dealings Law

The police license pawnbrokers and oversee their business operations, including the keeping of accounts. The police can make on-the-spot inspection of pawnshops, and when the violation is found, may order suspension of business or cancel their business license. The police also control second-hand goods dealers in a similar way. In addition, the police are engaged in a wide variety of activities which are closely connected with the everyday life of community residents, such as preventing crimes, giving protection and guidance to juveniles, protection of lost children and runaways from home, and offering various consulting services.

4 - POLICE PERSONNEL AUTHORIZED STRENGTH

The personnel of the NPA and the Prefectural Police forces is composed of police officers, members of the Imperial Guard, and civilian employees such as clerical workers and technical engineers. All these personnel work as one body to perform police duties.

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The total authorized strength of police personnel as of 1989 is about 257,000. At present, the NPA has a strength of approximately 7,600, comprising about 1,200 police officers, about 900 Imperial Guards and 5,500 civilian personnel. The 47 Prefectural Police forces have a total strength of approximately 250,000, of which 220,000 are police officers and 30,000 are civilian personnel.

There are about 4,100 female police officers throughout the country, and they are performing police duties together with their male counterparts. In addition, there are about 12,000 women civilian personnel, of whom about 2,900 are traffic guidance personnel engaged in traffic control and juvenile guidance personnel engaged in on-the-street guidance of juveniles. Their duties correspond to those of police officers.

On the basis of the present authorized nation-wide police strength, the ratio of police to population is one police officer to about 555 citizens. The burden is considerably heavy as compared with that of Western countries.

4.1 - RANK

Police officers are divided into nine ranks, namely, Keishi-sokan (Superintendent General of the Tokyo Metropolitan Police Department), Keishi-kan (Superintendent Supervisor), Keishi-cho (Chief Superintendent), Keishi-sei (Senior Superintendent), Keishi (Superintendent), Keibu (Police Inspector), Keibu-ho (Assistant Police Inspector), Junsu-bucho (Police Sergeant) and Junsu (Policeman). The Commissioner-General of the NPA also has the status of a police officer and functionally holds the highest position in the Japanese police forces but he does not have a police rank. Keishi-sokan is the term for the highest rank of police officer, and also the title of the head of the Tokyo Metropolitan Police Department.

In addition to the ranks mentioned above, there is the position of Junsu-cho (Senior Policeman). This position is awarded to policemen in the rank of Junsu (Policeman) who has a wealth of working experiences and whose performance of duties is very good. This is not a rank provided by law. The

policemen awarded the position of Junsu-cho are assigned to the task of giving on-the-job training to their subordinates and of coordinating actual police duties. Senior police officers of and above the rank of Senior Superintendent are designated as national public service personnel, even if they belong to Prefectural Police forces. As national public service personnel, those Prefectural Police officers are in a position to coordinate Prefectural police duties which has national aspects, this makes Prefectural Police personnel available for national police duties.

4.2 - PROMOTION AND PAY

The method of the promotion of police officer differs according to the rank. As a rule, the promotion to the ranks up to Keibu (Police Inspector) is determined by examinations. However, there is also the promotion based on recommendation for those officers who have special skills, a wealth of knowledge and experiences of specific duties, or a long record of good performance and service.

The promotion of police officers to ranks above Keishi (Superintendent) is, as a rule, by recommendation on the basis of evaluation of their ability to carry out their duties, their experiences and their record of service.

The pay of police officers, same as the other public service personnel, consists of a monthly salary and various allowances. Considering the nature of duties, a special pay scale is set up for police officers which is about 10% higher than that of ordinary national public service personnel.

As for allowances, the family and commuting allowances are the same as those of other public service personnel, also additional allowances are paid for such duties as criminal investigation, traffic control and patrol car driving, these duties are considered to be extremely dangerous, unpleasant and detrimental to health.

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