

DOMINICAN REPUBLIC

SAFTEY AND SECURITY



GIULIANI SECURITY AND SAFTEY

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# DOMINICAN REPUBLIC

## EXECUTIVE SUMMARY

Giuliani Security and Safety (“GSS”) was contracted by Luis Abinader’s Presidential Committee to conduct a review of the criminal elements in the Dominican Republic, and develop key findings to enhance the security and safety for their people. Prior to this visit, the GSS Team conducted an extensive amount of online research, regarding the crime situation in the Dominican Republic and analyzed several hundred pages of data and information. Before the on-the-ground research trip, GSS analyzed this data, as well as information obtained by various world organizations on the Dominican Republic’s crime, corruption, and the policing policies of the National Police Department as well as other sectors of the criminal justice system. During the on-the-ground visit, members of the GSS Team conducted several meetings and interviews with attendees from every level of the criminal justice system along with victims of crimes, as well as attended meetings with individuals in the business sector.

With the leadership of former New York City Mayor, Rudolph W. Giuliani, the GSS Team listed several key recommendations in this report, based on their research and findings. There are severe issues that need to be addressed, but the main objective is to set out a clear plan on how each level of the criminal justice system can be improved and made much more transparent and effective. This report will present some ideas on how to help the National Police Department deal with high levels of violent crimes, as well as the inability to arrest and convict those individuals committing these crimes. The National Police Department cannot be looked down upon as the one and only reason as to why the crime rates are high, and this does not explain why criminals are not being placed in jail. The Dominican Republic needs to address all levels of the criminal justice system and hold each level accountable and answer the following questions:

- Why aren’t more criminals being arrested on the investigation level?
- Why aren’t more criminals being prosecuted and convicted on the prosecution level?
- Why aren’t more criminals given tougher sentences on the judicial level?

Each level of the criminal justice system should have a level of accountability and responsibility. There should be an evaluation system put in place to assess job performance and measure the effectiveness of each of these levels. All statistics that are applied in the criminal justice system should be accurate and transparent, then shared by each level of the criminal justice system to make more effective policing decisions. For this to be effective, all statistics must be exact and constantly kept up to date and used to determine crime patterns to assist officials to respond to the patterns by moving manpower into those areas. An easy way to increase patrols is by using the “four-three system” (Please see the PowerPoint Presentation that is enclosed at the end of this report. It is a guideline that can be adjusted in many different ways).

The Dominican Republic has an alarming number of motor vehicle related deaths. The streets can be considered as dangerous, if not more dangerous than any high-crime area in the Dominican Republic. There is a total disregard for all traffic laws with very little enforcement from the National Police. The GSS Team observed multiple intersections in Santo Domingo and

witnessed countless vehicles disregarding red lights and/or speeding down the road. GSS Team members watched five police officers stand next to their vehicles as multiple cars drove through the red light, approximately thirty feet from where they were standing. There is a great need to enforce all traffic laws, such as driving under the influence of alcohol, speeding, and driving through red lights. A system to collect fines for traffic violations must be designed, as the one in place now has been proven to be unsuccessful. The government should invest in red light cameras, as well as speed cameras and place them at the high accident locations and fine those who violate and break the law. There must also be a system that can track these fines to ensure that they are paid.

The Dominican Republic needs to establish a state-of-the-art Office of Emergency Management that can coordinate all emergency response teams, as well as private sector companies, such as the electrical and energy providers to assist in any type of large scale natural disaster or man-made emergencies. There must be a tabletop exercise that determines the standard operating procedures for each type of incident that the Dominican Republic may face.

The population of the Dominican Republic is approximately ten million five hundred thousand (10,500,000) people. In 2014, the Dominican Republic had a homicide rate of 25.6 per hundred thousand (100,000) people, and in 2015, the homicide rate was 17.5 per one hundred thousand (100,000) people. These homicide numbers were found on Observatorio Nacional.

The GSS Team analyzed the criminal statistics published by the Observatory of Public Safety for the Dominican Republic, and the Team found that there is a gap in reports published in 2015 as well as reports of previous years. The most recent report on criminal statistics was released in January of 2016 and represented all crimes that occurred in 2015 – from January through December. Statistics from 2015 indicate a reduction in homicides, automotive theft, and suicides, whereas there was a dramatic increase in traffic accidents and domestic violence. The 2015 report did not provide the same timely information that previous years provided. Previous years had timely reports, which included semester and trimester breakdowns, as well as briefings of all criminal activity during the years of 2014, 2013, and 2012. GSS did not find any reports on the Observatory's website for current criminal statistics during the first months of 2016. The GSS Team also discovered that the Observatory classifies robberies as either with or without violence, and are not specifically classified as a type (for example: car theft, home robbery, cell phone theft, etc.).

The crime data that is recorded in this report is not transparent nor can be used as a tool for real time data collection that the National Police can react to by moving police resources to areas where crime is rising. The National Police must use pinpoint mapping of crimes committed, and look for patterns by analyzing data on a daily basis.

## **STATISTICAL DATA ON SAFETY & SECURITY**

The Overseas Security Advisory Council ("OSAC") safety reports on the Dominican Republic conducted by the United States Department of State Bureau of Diplomatic Security has listed the Dominican Republic's crime rate as CRITICAL in 2013, 2014, and 2015. (The OSAC report for 2016 is not published yet.)

Listed below are the crime threats for the Dominican Republic from the 2015 OSAC report:

1. Homicides in the five highest cities:

- Independencia 34.5 per 100,000 people
- Peravia 26.4 per 100,000 people
- La Altagracia 23.4 per 100,000 people
- Duarte 23.1 per 100,000 people
- Barahuccho 22.2 per 100,000 people

2. Top five cities for “Reported” Robberies (Numbers robberies not given):

- Santo Domingo National District
- La Vega
- Peravia
- San Cristobal
- Santo Domingo Province

3. Top five cities for “Reported” Assaults (Numbers of assaults not given):

- Santo Domingo National District
- San Cristobal
- Santiago
- Santo Domingo Province

\*Crime statistics from the National Police at the national level did not collect a list of incidences of rape\*

The crime data that is released to the public is difficult to find on any Dominican Republic official government website. The GSS Team was advised that the Attorney General collects the crime numbers for the past two years and is then given to the Observatorio Nacional. The GSS Team questioned governmental officials during the many interviews conducted and asked why the National Police did not handle the assignment of collecting the crime data. The GSS Team was advised that several different government agencies had their own numbers and statistics, and each one differed from the other. The Medical Examiners office had much higher homicide numbers than the National Police and there are several factors that played into the numbers being different. One such factor is that if a person is shot or stabbed and either that person dies days later due to an infection, or physically leaves the hospital for whatever reason, those individual’s deaths are not recorded as a homicide, but rather a death due to infection, injury, heart attack, etc., regardless that the initial reason for the individual to be in the hospital was due to being either shot or stabbed. Another factor is that if a victim’s family wanted the body of their loved one right away, they usually have to pay officials or hospital staff to have the body released, and no autopsy will be conducted.

Another key factor that affects the accuracy of collecting crime data is that citizens of the Dominican Republic do not have faith in their criminal justice system, based on prior situations within the system, whether it is the police, prosecutors, or judges. There is a belief that some of the police are corrupt and will not take any police action against the suspect. Many times when a victim calls the police and attempts to file a report that they have been a victim of a crime, the police try to

discourage the victim from filing any official reports by telling them that the suspect will seek revenge and it is not worth their time because the process will be time consuming. Victims are also told that they must wait at the crime scene for the police to arrive, which can take several hours. Many of the victims do not feel safe waiting at the crime scene for such a long period of time, or on other occasions, they just give up on the police.

Many tourists have a similar issue with the police when they become a victim of a crime and want to file a report. Tourists are told that they will have to spend a great deal of time during their vacation going through the process and that they will have to return to the Dominican Republic at a later time for their court date, at their own expense.

Street robberies have become so common in Santo Domingo that citizens carry a second cell phone that has little-to-no value to give to a criminal. Citizens also carry an additional wallet with a small amount of money to give to the criminal, instead of their real wallet.

Several open media sources that can be found on the Internet categorize the Dominican Republic as a very dangerous country to travel or reside. One such source ranked the Dominican Republic as the 7<sup>th</sup> highest country with the highest homicide rate in 2015, placing Mexico as the 8<sup>th</sup>. Other websites that list a crime index for countries for 2016, list the Dominican Republic 18<sup>th</sup> of 117 countries. Below is a small sample of the crime index:

COUNTRY	RANK
1. Venezuela	84.44
2. South Sudan	81.32
5. Honduras	76.43
7. Trinidad and Tobago	72.60
<b>18. Dominican Republic</b>	<b>63.25</b>
29. Somalia	55.72
53. India	46.59
68. Chile	42.06
117. South Korea	14.31

\*Source: <http://www.numbeo.com>

Several other sources list the Dominican Republic as a dangerous country for crime and violence, but do not mention safety and security. The British government generated a report regarding overseas business risk for the Dominican Republic, and addressed the subject of crime. Below is a quote from the aforementioned report dated November 6, 2015:

“Organized crime is present in the Dominican Republic fueled by drug trafficking, corruption, easy access to weapons and lack of resources for the law enforcement. People trafficking and sex tourism also feature. The level of violence and street crime are high and have experienced considerable increase in the last years.”\*<http://gov.uk>

## **NARCOTICS GANGS**

During GSS's research and on-the-ground visit, it was made clear that two of the largest criminal issues in the Dominican Republic are drugs and the gangs that distribute them in the streets. The Dominican Republic has become a drug gateway to the United States from South American countries since it has become much more difficult to smuggle drugs through Mexico with the increased border controls on the United States side. Drug gangs control several neighborhoods in the Dominican Republic and operate with impunity or any fear of being arrested. The GSS team believes that this problem will not get better in time and will only get worse with the current criminal justice system, especially because the gangs are taking advantage of juvenile laws and the lack of punishment that a minor receives if he or she is ever arrested and convicted. The Dominican Republic's Anti-Narco teams, along with the United States of America's Drug Enforcement Administration ("DEA") are seizing large shipments of narcotics in and around the waters of the Dominican Republic. Narcotic gangs also use corrupt officers to move their products around the island, and the non-corrupt officers that they cannot bribe, the gangs threaten them or their families if they do not conform.

The narcotic gangs and drug cartels are aware of the corruption within the Dominican Republic's legal system, and they take full advantage, especially through bribing the corrupt officers. If the criminal justice system does not change, the narcotic gangs and cartels will just gain more power.

With corruption on every level of the criminal justice system, the Dominican Republic is a very attractive place for violent gangs such as Mara Salvatrucha 13 (MS13) and Barrio18 or any other type criminal organization to enter. The gangs found in the Dominican Republic are mainly the Bloods, Crypts, Folk and the Latin Kings. The gangs are getting stronger, by trafficking drugs and money. Many neighborhoods are being controlled by gangs, such as the neighborhood of Cienfuegos, located on the west side of Santiago with a population of around 130,000. If the gangs cannot bribe their way out of their problems, they threaten and partake in acts of violence to the people of these neighborhoods.

The Dominican Republic has too many firearms in the streets and it is very easy to possess and carry a firearm. There are no strict gun laws, and most of the firearms on the street are considered legal. The rules and laws must be tightened. There should strict gun control laws, for example, to ensure that people with mental illnesses are not able to possess firearms. The National Police must enforce the laws for illegal firearms, and make sure that illegal firearms are destroyed as soon as a case involving one is completed.

## **VICTIMS ORGANIZATION: VANESSA FOUNDATION**

The GSS Team did several interviews with victims of crimes and each story highlighted the shortcomings of the criminal justice system. The GSS Team interviewed several victims in Santo Domingo as well in Santiago and were also able to interview members of The Vanessa Foundation, which helps educate citizens and helps victims of crimes. The Vanessa Foundation was created 10 years ago for Vanessa Martinez, a young woman who was killed during a cell phone robbery. The crime was solved and the suspect was placed incarcerated. The Foundation educates people on security as well as other issues and will help connect with other entities to help the victim. They help


train and inform citizens to know what to do when a crime occurs. Below are some of the issues that the Foundation conveyed to the GSS Team, especially regarding the situation in Santiago:

- Crime is at a high rate. There is no specific hour or place where a crime will occur.
- One can be a victim anywhere, anytime.
- There is a Council for the Security of Santiago, which involves the business sector and the community to form an alliance and work together to enhance security issues in Santiago.
- The police in Santiago don't have the resources necessary to fight crime.
- There is a lack of trust in the police in Santiago.
- Impunity is high and stems from people not wanting to file a complaint and not trusting the system.
- Delicate relationships between the community and the police.
- Only serious crimes are reported.
- There is a general fear of filing a complaint because victims and criminals live in the same area.
- Criminals are usually released from custody a few days after committing the crime.
- Witnesses are discouraged from testifying (victims must pay for their gas/transportation).
- The police and community know where the criminals live and where the drugs are being sold.
- There are currently lots of sexual abuse cases (most cases involve the woman not giving 100% consent) and this pushes a lot of women to prostitution.
- High profile cases are typically solved.
- Low profile cases are typically not solved or even reported.
- There has been an evolution of crime in the last 10 years.
- Common crimes/street crimes are rampant.
- Security forces preach perception, but Santiago is less secure from what it was 10 years ago.
- Security forces state statistics on crime and violence are down but that is not the sentiment of the community.
- Police lost their positive reputation.
- Police salaries are very low, which make them unmotivated or more easily to accept bribes.
- There was no preventive patrolling seen on the day the GSS Team visited through Santiago.
- Cienfuegos is a high crime area with no police presence during the GSS Team visit.
- The GSS Team's guide was able to point out where drugs are sold and the areas we would not be able to see due to it being a dangerous area.
- The territory was built for over 1,000 people.
- Today Cienfuegos has over 100,000 people.

## NATIONAL POLICE

The Dominican Republic National Police Department is under the control of the Ministry of Interior and is the largest police force in the country. The police and military force has a combined

population of 35,057. The rank structure of the National Police is divided into 18 different ranks with the top rank being Major General Jefe of the National Police down to the rank of Rasos. The National Police was formed in March 2, 1936 and its main purpose is to enforce the laws for the nation of the Dominican Republic. The National Police list themselves with having 15,000 operating and trained officers but a total number of 35,057 when the military is added into the total.



Santo Domingo, D.N.  
**OFICINA SECCION DE SUELDOS DE LA POLICIA NACIONAL**  
 "Todo por la Patria"  
 "Año del Fomento de la Vivienda"

18 de Febrero del 2016

<b>DISTRIBUCION POR RANGO DE LA NOMINA GENERAL, P.N., EN EL MES DE FEBRERO 2016</b>						
No.	RANGOS	CANTIDAD DE MIEMBROS	SUELDOS POR RANGO	RACION POR RANGO	TOTAL DE SUELDOS RD\$	TOTAL DE RACION ALIMENTICIA
1	MAYOR GENERAL JEFE, P.N.	1	81.785,00	300,00	81.785,00	300,00
2	GENERAL DE BRIG., SUB-JEFE P.N.	1	62.529,42	300,00	62.529,42	300,00
3	MAYORES GENERALES, P.N.	3	62.529,42	300,00	187.588,26	900,00
4	GENERAL DE BRIG., INSP.	1	62.529,42	300,00	62.529,42	300,00
5	GENERALES DE BRIGADA, P.N.	43	37.300,04	300,00	1.603.901,72	12.900,00
6	GENERAL DE BRIGADA MED.	1	37.300,04	300,00	37.300,04	300,00
7	GENERAL DE BRIG., ING., P.N.	1	37.300,04	300,00	37.300,04	300,00
8	CORONELES, P.N.	459	23.500,02	300,00	10.786.509,18	137.700,00
9	TTES. CORONELES, P.N.,	569	22.500,02	300,00	12.802.511,38	170.700,00
10	MAYORES, P.N.	970	19.501,00	300,00	18.915.970,00	291.000,00
11	CAPITANES, P.N.	1.641	17.500,68	300,00	28.718.615,88	492.300,00
12	1EROS. TTES., P.N.	2.638	15.001,10	300,00	39.572.901,80	791.400,00
13	2DOS. TTES., P.N.	3.773	13.000,22	300,00	49.049.830,06	1.131.900,00
14	CADETES, P.N.	251	12.500,56	1.000,00	3.137.640,56	251.000,00
15	SGTOS. MRS., P.N.	3.589	11.000,75	240,00	39.481.691,75	861.360,00
16	SARGENTOS, P.N.	4.758	9.000,50	240,00	42.824.379,00	1.141.920,00
17	CABOS, P.N.	5.163	8.000,26	240,00	41.305.342,38	1.239.120,00
18	RASOS, P.N.	11.195	7.000,29	240,00	78.368.246,55	2.686.800,00
	<b>SUB-TOTAL</b>	<b>35.057</b>			<b>367.036.572,44</b>	<b>9.210.500,00</b>
19	ASIMILADOS 3RA. CAT., P.N.	1.781			17.290.356,22	
20	ASIMILADOS 4TA. CAT., P.N.	273			1.951.290,48	
21	ASIMILADOS 5TA. CAT., P.N.	237			1.323.062,67	
	<b>TOTAL ASIMILADOS</b>	<b>2.291</b>			<b>20.564.709,37</b>	
	<b>TOTAL GENERAL DE HOMBRES</b>	<b>37.348</b>	<b>TOTAL GENERAL RDS</b>		<b>387.601.281,81</b>	<b>9.210.500,00</b>

**Lic. JOSE E. ESCOLASTICO CORDERO**  
 Tte. Coronel, (C.P.A.),  
 Encargado de la Oficina Sección de Sueldos, P.N.

The above chart breaks down each rank and the total number of individuals assigned to each position, including their salaries. It is clear to the GSS Team as well as all the people of the Dominican Republic that were interviewed that the National Police Department needs to be restructured. The chain of command that is in place now has too many high-ranking officers and not enough street officers and first line supervisors, such as sergeants. The National Police has a bad reputation of being corrupt and the biggest factor is the very low salaries at every level of the department. Most officers join the department to do good things and help the people of Dominican Republic, but the pay structure is so low that this makes it difficult for a good police officer to remain honest. The National Police need to receive a pay raise, and not just have a bill passed by lawmakers stating they will be given a raise, which doesn't end up happening. Once the National Police are given a raise, they must be held to a higher standard and be held accountable for all of



their actions. There should also be zero tolerance for officers at every level regarding corruption, and if found guilty, they should be removed from the department as well as serve prison time. Serving in the National Police should be a desired job and one that many citizens should want to be part of, but with extremely low salaries, highly qualified candidates do not apply.

The GSS Team conducted interviews with several high-ranking National Police and Military Generals. Below are some of the points that they conveyed.

#### **INTERVIEWS: POLICE AND MILITARY OFFICIALS**

The National Police officials noted there was a 44% increase in crime in which the blame was placed on previous generals in the police department. As a result of the homicide and crime increase, the government purchased additional motor vehicles and motorcycles, which had no effect on the homicides. The major issue noted within the system was as follows: The system needs to be changed as the police blame the district attorney and the district attorney blames the police for the crime rates. There is no clear public policy in the coordination of services between the police, the district attorney and the justice department. It is further noted that there is a lack of political will to establish such a public policy.

There currently are district attorneys assigned to the precincts and they either are in charge of the investigation, or believe they are, thereby creating friction between themselves and the police department. This friction can cause the case to potentially lag in time and resolution. It was agreed upon by the former police officials that the police do conduct effective investigations but it was also believed that organized crime has somehow infiltrated into the justice system. It was noted that if a particular unit is successful the police officers and supervisors are transferred to other assignments, which is seen as punitive and not as a reward.

The Dominican Republic's National Police currently uses statistics for crime tracking purposes but needs a better digital technical platform in place. This platform, once in place, would better track crime trends and patterns and also pinpoint crime mapping to detect crime spikes. This new platform would also help with attacking crime at its very beginning. The current system of policing used by the National Police is reactive and not proactive. It was further agreed by the former officials that as a part of this platform, a DNA bank, which is currently not in place, is needed, as it would enhance the investigative process.

During our interviews it was noted that the current law allows the police and/or the district attorney to hold a subject of an investigation in custody for 48 hours. After the 48 hours expire, a judge is the only one who can conduct interrogations and make a decision as to the prisoner's custody status to avoid creating human rights issues.

Investigations are often times driven or steered at the discretion of superior officers and most often the police are politically influenced, thereby creating potential for corruption, favoritism and the failing of adjudicating proper justice. Cases of importance are given a response and investigation with approximately 80% of the subjects going to jail.

Police corruption needs to be monitored as part of the aforementioned digital platform as often times, police reports are changed in an effort to manipulate crime statistics. The retired

officials stated that these changes are done by commanding officers to avoid being transferred from their present commands. This manipulation of the numbers thereby makes the crime stats unreliable and inaccurate, and the officials further believe this practice is politically motivated.

There is no real “Comp-Stat” and crimes are committed every day. The statistics released create a false sense of security. The officials contend that these numbers are given to the media and reported for political gain in the upcoming elections. A second reason mentioned in issuing low crime numbers is for economic gain. Low crime numbers help keep tourism numbers up and also assist in the country’s credit rating in order to gain favorable loan rates for the current political party.

Current crime statistics are provided by four sources as follows: police department, interior minister, public minister and the Medical Examiner’s office. When the police department submits its numbers to the Observatorio de Seguridad Ciudadana, it’s alleged by the officials that the crime statistics are scrubbed.

It was stated by the officials that the current police structure is decent. The current police force size is approximately 35,000 uniformed members; however, 75% of the force is used for executive protection of public officials and retired police generals. The officials noted that the main issue for a police officer is their low salary. Many officers have to get a second job, which causes a decline in their police work performance. The low pay also leads to corruption as many times the police officer is assigned to work a 12 hour tour with no overtime for arrests, details, or any other purpose. The current salary for a police officer is approximately \$170 per month. It is noted that a hotel worker can earn four times more than a police officer. The officials felt that there is no political will to increase the salary within the police department.

In 2004 a government plan was devised and they named it Seguridad de Barrio. This plan called for pay increases in the police department and the deployment of additional police to high crime areas. The plan also called for additional equipment to combat crime. The government allocated approximately one million dollars to this program, the largest ever allocated and the plan failed. It was felt that the plan was devised for political convenience and never followed through.

Many of the officials feel that the government wants to militarize the police department, as there is a growing use of the military with the National Police. The officials widely agreed that the police department is good but they do see the need for it to be restructured as they stated, “justice is kidnapped”. They stated there is a current plan for the reduction of generals from 57 to 20 in the next two years. They further felt as part of the restructuring, the use of a retired General to advise the President on the political and police platform would be beneficial. They also agreed upon the use of a non-political Director of the National Police is a great idea but may be difficult because of the political influence on the justice system as well as the police department.

**ENLISTED OFFICERS VS. CADET OFFICERS**

There are two types of police officers in the Dominican Republic: Enlisted and Cadets. Cadet requirements are more demanding than an Enlisted officer. The difference between Enlisted and Cadet are:

### **Enlisted Requirements:**

- Dominican Nationality
- Must be between the ages of 18-30
- No criminal history
- No political affiliation
- Must pass a physical and mental test.
- Primary education (high school) or beyond
- Height Requirement: 5'6
- 6 month training with no post training
- The school teaches: patrol, surveillance, special ops, law, first response, processing, etc.
- Minimum wage salary

### **Cadet Requirements (Similar to a West Point Cadet):**

- Dominican Nationality
- Must 18 years old or older
- No more than 21 years of age
- No criminal record
- Physical and mental capable
- Single – not married
- Height Requirement: 5'8
- No political affiliation
- Exam is conducted by the Academy's commission
- Salary of the cadet is the same for all 4 years
- Cadets are validated through Executive Decree
- 4 year graduation program
- Credits are given and validated through university agreements, which allows you to continue professional/specialization career
- You graduate with a License in Police Sciences.

### **Levels of ranks:**

- Razo (Private)
- Cabo (Corporal)
- Sergeant
- Sergeant Major
- 2<sup>nd</sup> Lieutenant
- Captain
- General
- Major General

### **ADVANCEMENT & PROMOTIONS**

- There are a total of 6,000 cops at the lower ranks.

- There are higher salaries working in the Ayuntamiento, which is the equivalent to the Sanitation Department, than in the National Police.
- Being sent out for training and coursework depends on rank.
- Promotions are based on favoritism/nepotism and not merit.
- According to the law, all those promoted must pass a test (you can take twice if needed).
- According to the Generals, the law states that 75% of promotions are merit based and 25% are left at the Chief's discretion.
- Cadets have a more rigid and strict protocols in the Academy.
- There is firearm training in the Academy but no continued training while they are in the force.
- All police firearm training is conducted in one center.
- The minimum rank to enter a specialized department (such as Homicides) or a specialized unit is the rank of private for those who enlisted.
- There is an evaluation process for those with the correct aptitude when being placed in a specialized unit. You must meet a specific work ethic and criteria when being placed in a specific unit.
- The School for Criminal Investigation gives the related coursework on specialized units.
- Those in specialized departments/units go through a basic course relevant to the department they are entering.
- Basic coursework takes from 3-6 months, depending on the department/unit.
- In 2002, women were allowed to enter into the academy.
- Officers don't have to pay for uniforms, they are provided.
- Cadets usually pay for their uniforms. For better quality uniforms, they must buy them on their own.
- The enlisted officers that are eligible for joining the investigations units/departments are sent to a 3-month course at the Criminal Investigations School.
- The Dominican Republic has agreements for their officers to be trained specialize in different countries and areas, such as Puerto Rico, Chile, Haiti, and Spain, to name a few.

## **GSS's RECOMMENDATIONS FOR THE NATIONAL POLICE**

Many of the current practices must be changed. One major issue in the National Police Department is that officers will continue to get paid, even if they do not show up for work. These officers, often times have connections or are corrupt, will continue to receive promotions within the Department. The promotion path should be transparent, and should only be offered to those officers whose test scores are high, rather than being promoted due to nepotism.

Below is a more detailed list of various recommendations by the GSS Team for the National Police:

- The National Police Department has to be restructured in order to make it more efficient and accountable.
- Police must receive a substantial pay raise and be held accountable for their actions, and a zero tolerance corruption policy must be put in place and adhered to by ALL officers.
- The statistical data of crimes does not appear to be factually accurate and not all crimes are reported.
- The National Police Department has to acquire enhanced pinpoint mapping to better analyze crime data.
- There is an overwhelming need for a DNA bank in order to help in crime solving, and identifying crime patterns. For more information on DNA, please reference the next section of this report.
- All police reporting forms need to be enhanced for better crime documentation of specific crimes and include the perpetrator's detailed information, as the current forms are inadequate.
- There must be continual firearm training throughout the entire career of a police officer, regardless of rank.
- The National Police Department needs to institute in-service training for all officers below the rank of Colonel on a monthly basis.
- Police must have an enhanced program for drug testing officers as follows:

- For all Promotions.
  - When assigned to sensitive cases.
  - After a police shooting.
  - All off-duty incidents.
- All police officers should receive bulletproof vests.
- Police Department must initiate a Case Tracking System in order to oversee case progress and detect crime patterns:
  - The National Police should design or purchase a software program that can detect crime patterns to help build cases against career criminals and criminal gangs.
  - The Case Management Programs can be used to see where criminal complaints are being stored as well as where the backlogs of the cases are recorded.
  - These programs analyze what is going on with each case.
  - The databases can have a quicker impact with crimes by speeding up investigations.
  - These systems require only one or two analysts that will take the place of one hundred analysts, and are more accurate.
- Members of the National Police Department that are killed in the line of duty, should receive some form of life insurance for their families.
- A detailed analysis of manpower and assignment usage must be conducted and considered a priority.
- An Internal Affairs Division should be provided with the best surveillance equipment to enhance their investigations. They currently lack the most basic equipment such as paper or printer ink.
- Officers assigned to the Internal Affairs Division should receive special assignment money.
- National Police Officers should receive overtime pay if they are required to work beyond their standard working hours.
- National Police Officers should all have the same quality in uniforms. The uniforms should also be able to distinguish a patrol officer from a transit officer or a fireman.
- An analysis of the approximately four hundred (400) precincts should be conducted as to the necessity of each location. A review is recommended for the consideration of consolidation as the number precincts seems excessive.

- National Police Officer's vehicles should be equipped with mobile computers to help determine if the individual they have stopped for a traffic violation is wanted for a more severe crime.
- An analysis of the police supervision structure must be conducted to determine the proper number of officers in each rank, as it appears there is an excessive amount of Superior Officers without any true need for them.
- There is a need for a greater number of first line supervisors as there is a deficient amount in those ranks.
- The President's Office and the National Police Department need to design a clear and concise crime reduction strategy.
- All crime statistics should be made transparent and put online weekly by the National Police Department.
- There is an overwhelming consensus that crime scene management has low expectations to establish standards, including the chain of evidence custody.
- Extensive interviews and inquiries have revealed that often evidence is lost or stolen, thereby making prosecution difficult if not impossible.
- Promotions are often times driven by nepotism, which needs to stop.
- Anti-corruption laws must be enforced, and corruption cases must be brought to trial. Every level in the criminal justice system must be held accountable if convicted of corruption practices, including police, prosecutors and judges – all who if convicted must serve jail time.
- Money and assets seized from criminal entities by the National Police Department should be distributed to the National Police Department and Prosecutor's Office and should be reinvested in the purchasing of equipment such as CCTV, DNA banks, data banks, as well as, computers or other equipment as needed.
- Integrity tests should be conducted in every command weekly, as well as in the Prosecutor's Office.

- GPS systems should be placed in all National Police vehicles and motorcycles to better track and supervise officers, to ensure that they are in the high crime areas and conducting the proper police patrol requirements.
- The National Police should create a cell phone division and work on major cases dealing with the large number of cell phone thefts, and track where they are being taken after they are stolen.
- The National Police Department needs to start a Social Media Monitoring Unit to track gang activity and criminal groups. This tool is very important with the large number of minors that are involved in crimes that use social media as a direct way of sending messages to one another.

## DNA

DNA collection and testing has been available to law enforcement over the past thirty years and is known as “the Fingerprint of the 21<sup>st</sup> Century.” The use of DNA serves multiple purposes such as; criminal convictions, exoneration of innocent defendants or inmates, identifying missing or unidentified persons and crime prevention. The proper collection of DNA evidence is crucial as it will degenerate in various weather conditions and if improper storage methods are employed. The proper chain of evidence custody must be maintained throughout the entire process, from collection to testing, as well as, after testing. Proper storage methods must be in place with generator backup in case of a power outage. DNA testing is now being used in burglary and minor crime investigations/convictions. This new application has led to the identification of perpetrators sought in more serious crimes. The collection of DNA evidence in minor crimes may also prevent a serious crime from being committed and save money in the long run for homeowners, merchants and insurance companies. As of February 2, 2016 it has been reported in New York that for every one hundred (100) DNA samples that are collected and submitted to the National Database, one (1) major crime is solved.

### HOW AND WHERE DNA CAN BE COLLECTED

DNA can be found in blood, saliva, seminal fluids, hair, dandruff, skin, bones, teeth, mucous, ear wax, vaginal or rectal cells, urine and fingernails. This list is intended as a guide and not as the only or sole sources of DNA. Below is a chart that further explains potential evidence that may contain DNA evidence its location and the source of the DNA.

Evidence	Possible Location of DNA on the Evidence	Source of DNA
Baseball bat or similar weapon	Handle, end	Sweat, skin, blood, tissue
Hat, bandanna, or mask	Inside	Sweat, hair, dandruff
Eyeglasses	Nose or ear pieces, lens	Sweat, skin
Facial tissue, cotton swab	Surface area	Mucus, blood, sweat, semen, ear wax



Dirty laundry	Surface area	Blood, sweat, semen
Toothpick	Tips	Saliva
Used cigarette	Cigarette butt	Saliva
Stamp or envelope	Licked area	Saliva
Tape or ligature	Inside/outside surface	Skin, sweat
Bottle, can, or glass	Sides, mouthpiece	Saliva, sweat
Used condom	Inside/outside surface	Semen, vaginal or rectal cells
Blanket, pillow, sheet	Surface area	Sweat, hair, semen, urine, saliva
"Through and through" bullet	Outside surface	Blood, tissue
Bite mark	Person's skin or clothing	Saliva
Fingernail, partial fingernail	Scrapings	Blood, sweat, tissue

\*Source: National Institute of Justice

## CORRUPTION

Dominican Republic is a beautiful nation with critical issues but there is no greater problem than that of corruption and an ineffective criminal justice system. The Dominican Republic has the legal framework and laws to deal with corruption, but there is no effort on the part of the government to wage war on this issue. The lack of applying the laws that are in place and following up on bribery cases as well as placing these criminals in jail to serve long terms make committing this crime easy. This lack of enforcing the law has effected so many people that a great deal of Dominicans see bribery as a way of life and just the way of getting things done quicker. Corrupt Police should be arrested not just fired and also the person who offers the bribe should be arrested and released to the press everyday. Corruption is in every level of the Criminal justice systems and one of the parts of the criminal justice system is the National Police. The National Police has an Internal Affairs Unit that is assigned to investigate charges of gross misconduct such as breaking the law from everything from bribery to excessive force. The Internal Affairs Unit has conducted many investigations and many officers have been fired for misconduct but GSS could not confirm if any of the many cases ever ended with the Police officers serving time in jail. This weak enforcement mechanism and lack of political will to apply the law and prosecute criminals; particularly high-ranking public officials and police officials are the main issues to conduct an effective investigation.

The Dominican Republic faces another major issue that must change immediately. Political and wealthy interference is in every level of the criminal justice system in Dominican Republic. The GSS team interviewed several high-level current and former government officials within the National Police Department, Prosecutors Office and the Office of the Medical Examiner. Members for the GSS Team asked what is one of the biggest challenges to perform their jobs effectively. These officials said that politically connected people or wealthy individuals causes a great deal of interference and obstructs them from being able to do their jobs. A politically connected person or wealthy individual has the power to stop any investigation, arrest or have the criminal case closed at any level of the criminal justice system. Sometimes high ranking government officials are instructed by the politically involved or wealthy as to what should happen to a case or investigation, then remove all records of the person or persons from any official documents as if the crime never

existed. Alejandro Salas Regional director for the Americas for Transparency International stated in a report on the Dominican Republics on April 8, 2015: “The people of the Dominican Republic are rightly tired with the widespread impunity for the corrupt and powerful in their country and that is why they are rallying in the streets.”\*Source: <http://www.transparency.com>

The Dominican Republic should have one set of laws and punishment, regardless who the criminal is and whether they are rich or poor, politically connected, a police officer or a politician.

### ONE NATION ONE LAW = JUSTICE FOR ALL

Transparency international rating of Corruption Perception Index that lists the Dominican Republic as 103 out of 167 and a score of 33 for 2015, has made the Dominican Republic a very difficult country to conduct and sustain business.

RANK	COUNTRY	2015 SCORE	2013 SCORE	2012 SCORE
9	Canada	83	81	84
10	United Kingdom	81	80	80
16	United States	76	73	73
21	Uruguay	74	73	72
24	Bahamas	71	71	71
23	Chile	70	71	72
32	Israel	61	62	62
36	Spain	58	59	64
39	Dominica	58	58	58
40	Costa Rica	55	53	54
56	Cuba	47	46	48
76	Brazil	38	42	43
72	El Salvador	39	38	38
69	Jamaica	41	38	38
88	Peru	36	38	38
72	Trinidad and Tobago	39	38	39
83	Colombia	37	36	36
<b>103</b>	<b>Dominican Republic</b>	<b>33</b>	<b>29</b>	<b>32</b>
130	Iran	27	25	28

\*Source: Transparency International Corruption Perception Index 2015

The GSS team conducted an interview with a high-ranking member of the National Police who is assigned to the Internal Affairs Unit. Below are some of the bullet points of that interview:

#### INTERVIEW: OFFICER IN THE INTERNAL AFFAIRS UNIT UNDER THE CHIEF OF POLICE

- No special skills or training are required. There are some requirements but they are usually violated (ex. while under investigation). The Director has the discretion to deny or approve assignments. The high-ranking officer being interviewed was assigned to the unit because of his friendship with his boss.

- It isn't a very popular assignment, and is not considered a prestigious unit to work for. There is no ways of making extra money, besides being corrupt.
- All ranks are eligible for recruitment.
- There is a high decline in the total amount of police personnel because of those that do not show up to work.
- A major problem with the National Police is that there are bad executives at the top level and the structure of the National Police is in disarray. Top-ranking officers do whatever they want to do, even if is not the area that they are responsible for or control.
- There is no drug testing or polygraphs administered during the recruitment process.
- There is no initial training or in-service training when assigned to Internal Affairs Unit.
- The Dominican Republic is divided into seven Geographic Groups or Zones through out the country created by Sub-Directors or "Cornels." The main office of Internal Affairs is located in the City of Santo Domingo.
- The Zone Sub-Director does not investigate or make recommendation on cases. They only gather and collect evidence which is then forwarded to the main office in the City of Santo Domingo.
- The main office receives and categorizes the cases and then assigns them to sub-units, depending on the case category (for example: drugs, money, etc.) for investigation.
- Investigations are conducted by investigators from the city central office regardless of the zone of occurrence. Investigators usually never visit the zone. They conduct their interviews in the city increasing the length of time cases are pending.
- There is an extensive amount of cases per investigator, approximately 500 cases in backlog per unit.
- Zones have little to no resources, for example, they do not have computers, audio, video cameras, vehicles, paper, or ink to name a few.
- There is no system in place to prevent and/or uncover corruption. There are no anti-corruption programs, nor integrity tests administered. The Internal Affairs Unit is reactive rather than proactive.
- Investigation practices and policies are very ambiguous with no set standard operating procedures.
- Zone investigators are not given full access to the entire investigative file.

- The Internal Affairs Unit does not work joint cases with the District Attorney. The Internal Affairs unit does not apply for search warrants, nor-phone taps, or request any bank records.
- Internal investigations that involve high-ranking officer cases are generally shut down, hidden and never acted upon.
- There are often times many complaints of high-ranking officers and politicians that abuse their power.
- There is no confidentiality regarding any complaints or witnesses for internal investigations.
- There are no external independent monitors for any cases or complaints.
- Internal Affairs Unit doesn't respond to officers involved in shootings.

#### **INTERNAL INVESTIGATIONS CASE MANAGEMENT STEPS**

1. Information as well as complaints are received and composed into Intelligence Reports.
2. The Sub-Director conducts initial interviews, gathers information/evidence and then forwards the case to the main office in Santo Domingo.
3. The cases are finalized and sent to the Chief of Police with recommendations.
4. The Chief of Police can promote or terminate officers, depending on the rank of the subject. Allegations on high-ranking officers go unpunished.

#### **HIGH PROFILE CORRUPTION CASES & FACTS**

The GSS team was easily able to find high profile stories of corruption and abuse of power in all levels of the Criminal Justice System. Below is a small list of cases of official corruption and abuse of power.

- The case of Senator Felix Bautista (2010) allegedly established a network of more than 35 companies under his control that he used to gain access to public contracts awarded by the Public Works Office, which he oversaw. The Prosecutor in this case had extensive evidence, including tax returns, bank statements and proof that he received large sums of money. The case was dismissed due to lack of evidence. The judge on the Supreme Court that heard the case dismissed it. He was a member of the same political party as Senator Bautista.
- Military senior officers were fired in February 2016 after investigating a major ring of drug trafficking between the Dominican Republic, Colombia and Venezuela. The Military conducted an investigation and determined that two high-ranking military officials

coordinated contacts at airports to traffic the drugs in and out of the Dominican Republic. The two high-ranking officers were dismissed but one the two was forced to retire with his pension. From December 2015 through February 2016, 32 high-ranking officers were fired because of corruption, yet none of the officers were prosecuted.

- In the National Geographic Channel documentary “Drugs, Inc.” a police officer in full uniform is shown picking up a large bag of cocaine from a drug stash house to be transported from one spot to another. The drug dealers stated in the interview that it is easy to bribe police officers because they don’t get paid well and need the money to feed their families.
- No judge has ever been arrested for bribery in the Dominican Republic.
- In March of 2016, the Dominican Republic an Anti-Narcotics officer refused to follow a judge’s order to release five Venezuelans arrested with 359 kilos of cocaine in La Romana. Interim Judge Aristida Mercedes ordered their release without bond. The Anti-Narcotics officer kept the suspects in jail. Then the case received press coverage and it was later discovered that Interpol was after these drug suspects.
- If a person is walking across the street and gets hit by a car and dies on that street, the police call the victim’s family and tells them to get to the location quickly if they want the body before it goes to the morgue. When the family arrives at the locations the police force the family to pay them so they can release the body if not the body will go into the system and could get lost.
- To avoid getting tickets, bribes are normally given to police officers for all typical traffic stops.

#### **GSS’s RECOMMENDATIONS FOR THE INTERNAL AFFAIRS UNIT**

- Police must have an enhanced program for drug testing officers as follows:
  - All promotions
  - Assigned to sensitive assignments
  - After a police shooting
  - Off duty incidents
- Internal Affairs Division should be provided with the best surveillance equipment to enhance their investigations, they currently lack the most basic equipment such as paper or printer ink.
- Officers assigned to the Internal Investigations Division should receive special assignment salary.

- Anti-corruption laws must be enforced and corruption cases must be brought to trial for every element in the criminal justice system including police, prosecutors, politicians and judges who must serve time as required by applicable law.
- Integrity tests should be conducted in every command weekly as well as in the prosecutor's office.
- There should be a special judge and prosecutor assigned to cases of abuse of power and corruption. All witnesses that come forward should be kept confidential.
- The government should set up an independent investigations unit to deal with corruption without and influence from high-ranking police or and political influence.

### NATIONAL INSTITUTE OF FORENSIC SCIENCE & MEDICAL EXAMINER'S OFFICE

The GSS team had an interview with a doctor who worked at the National Institute of Forensic Science. With over 20 years of experience, his insight into this part of the criminal justice system was helpful and he shared so many of the shortcomings within this government agency. Below are the points that the doctor touched on during the interview.

- The National Institute of Forensic Science operates all forensic science related cases such as homicides.
- Since the 1980's, the doctor has tried to help establish an institute that can provide independent service. He has expressed his concerns regarding the National Institute of Forensic Science being run by the National Police and Attorney General's Office.
- Recent case with concerns:
  - Claudio Camayo, an ex-guerilla member, was in a car accident and taken to a few emergency rooms. He did not have medical insurance so he was rejected from the hospital and died due to not being treated by a doctor. The case has been locked and no information has been released.
  - **Update:** The case has been sent to the Attorney General for him to investigate the 2 hospitals involved. The Health Commission stated that hospital should not wait for healthcare authorization in order to treat a patient. \*Source: <http://www.listindiario.com/la-republica/2016/04/07/414570/informe-determina-claudio-no-fue-atendido-debidamente>
- The National Police form a team with the Attorney General to conveniently handle crime activity – when there is a disagreement between them is when the truth comes out with problems that exist in this system.
- The Attorney General is the person who classifies and signs off on cause of death. This has led to many cases being conveniently misclassified to manipulate criminal statistics during elections.

- There is a need for the Medical Examiner to sign off on the cause of death without any influence from the Attorney General.
- The doctor stated that the National Institute of Forensic Science must be independent for transparency in cases. It is a fight he has had for over 30 years.
- The doctor stated that his political party is in power but that has not affected anything.
- The doctor stated that 30-40% of homicides are misclassified to hide the true numbers.
- The Medical Examiner's Office conducts no less than 30 autopsies a day.
- There are five Medical Examiners Office's in the Dominican Republic. They are located in San Francisco de Macoris, Santiago, Santo Domingo, Azua and San Pedro de Macoris.
- There is a current shortage of Medical Examiners in the Dominican Republic.
- Santiago does not have a pathologist. The previous pathologist in Santiago resigned due to work conditions (no infrastructure).
- Police are the first to be notified of any crime that is reported which allows the police to manipulate a crime or a crime scene as well as the process picking up of a deceased body.
- The National Police usually contact the relatives for information. The examination case might take up to 2-3 days but you can get the body back instantly if you pay the police off.
- The police will usually take 10,000-25,000 pesos, but it really depends on the family's wealth.
- The body is then signed off and released to the family.
- If the relatives do not come to identify the body, it is then taken to a morgue and left until the body is paid for.
- The misclassification of crimes does benefit the Medical Examiner's Office because there is a smaller caseload for them.
- There is lots of pressure to take the body off the streets and not leave it there for 4-5 hours.
- The doctor also stated that bodies were usually left out on the street in the past, which led to a terrible public perception. Since then it has been corrected.
- The doctor stated that there is no real interest in solving a case.

- There is a great lag time between the police being informed of a crime/accident and when the Medical Examiner is informed of the same case. This allows the police to do as they please or as their superiors advise, which also demonstrates corruption and the contamination of evidence.
- The doctor stated that the Medical Examiner's homicide numbers contradict the homicide numbers being put out by the police and the Attorney General's Office.
- The doctor stated that the Medical Examiner's homicide statistics are going up, while the police and Attorney General's statistics are going down.
- The Medical Examiners office published their stats several months ago, but it all goes through the Attorney General's Office now.
- Distortion of statistics also affects tourists:
  - When a tourist is a victim of crime cases can be misclassified.
  - This is done to prevent an uproar from the international media and not lose the business and tourism.
  - Recent case: European woman drowned but had no signs of drowning. She was found with signs of head trauma and strangulation. The case was immediately classified as a drowning.
- The Medical Examiner's Office does the basic forensic work – additional work, such as ballistics is sent to the National Institute for Forensic Sciences.
- DNA is sent out of the country or to private laboratories
  - There is no public DNA Bank in the Dominican Republic.
  - DNA is not taken as evidence from crime scenes.
- The doctor stated the biggest problem when doing his job is the political involvement in each case. Some other issues are:
  - Cases tend to be solved to favor politics, especially during election years.
  - There is a private law that bans private autopsies.
  - There is also a need for adequate refrigerators to store the bodies.
  - There is no routine/protocol established to test drivers for alcohol/drugs when involved in a car or motorcycle accident
- There is limited Medical Examiner service in San Pedro
  - San Pedro is on the East Coast and it's a tourist region.
  - The Center for Medical Examiner's Office has no equipment and is very small in size. It does not look like a medical center.
- The doctor stated there is a great need for a Medical Examiner's Office to be established in San Cristobal due to number of cases and violence in that area.
- The doctor stated that Medical Examiners Office is staffed with



- Forensic Doctors (Medical Examiner's): 50 to 80 Doctors
- Forensic Pathologists: 5 or less

## **PROSECUTORS OFFICE**

GSS Team members conducted an interview with several former and current prosecutors during the safety and security assessment where some major issues were discussed. Below are the points that the prosecutors and attorneys touched upon during the interview.

- The Security Minister is a politician with no experience in security.
- There needs to be a demilitarization of the police – there can't be a "command and obedience" culture in the police.
- System of checks and balances needs to be enforced – The Inspector General must do his job accordingly.
- Police have no incentive to work as a team, only when organizing crime do they work in teams.
- There is no objective evaluation for police officers to measure if an officer is doing his job accordingly.
- Patrol units are usually the first ones to respond to the crime scene, but have no knowledge in how to handle a crime scene.
- There is no detailed protocol for a crime scene.
- Crime patterns have never been established.
- The police know who and where the criminals are but do not enforce or try to arrest these criminals.
- Courts don't demand high standards.
- The chain of custody does not work in the Dominican Republic and hurts a great deal of cases.
- There is a confusion of roles among police and military.
- There are 150-200 prosecutors in Santo Domingo
- There are 30,000 cases taken to court.
- Statistics show that 80-90% of criminals are convicted when the case goes to trial.

- Half of the prison population has been sentenced for convicted.
- This creates a mix of convicted and not convicted minor offensive criminals in the prison system. There should not be someone who stole bread sharing space with some who committed a homicide.
- Patrol officers commit the most crimes. They are given orders from higher-ranking officials to commit these crimes. It can be called an “execution squad model.”
- Few to no prosecutors are prosecuted for corruption.
- Prosecutors negotiate with prison convicts and suspects for money or lower sentences.
- The Warrant Team Division does not have resources. They must pay for their gas.
- Police and prosecutors need to work together.
- Administrative Courts should be established to deal with less serious crimes. The court system is backlogged and deals with a variety of cases, from low level offenses to very serious crimes.
- There are no monetary fines (speeding tickets, parking, etc.) in the Dominican Republic, and people would most likely not pay for them.
- There is a high level of impunity for criminals in the Dominican Republic.
- Another issue is that there are sometimes two prosecutors in one case – one at the scene and the other handling the case in court.
- Prosecutors do not specialize in specific crimes. They handle any and every case they get their way.
- A law needs to be established to seize property and money from criminals.
- The career criminal rate was less than 3% in the new CRC prison model, stating that only 3% of criminals end up back in prison.
- There was a 70% return rate in the old traditional prison model.
- Ballistic testing is accepted and done by the Ministry of Interior, who works with the National Police.

April 22, 2016

To: Luis Abinader Presidential Committee

From: Giuliani Security and Safety

Subject: Preliminary Finding of Safety and Security of the Dominican Republic

- Police Department has to be restructured in order to make it more efficient and accountable
- Police must receive a substantial pay raise and be held accountable for their actions and a zero tolerance corruption policy must be put in place and adhered to
- Statistical data of crime does not appear to be factually accurate and is under reported
- Police Department has to acquire enhanced pinpoint mapping to better analyze crime data
- There is an overwhelming need for a DNA bank in order to help in crime solving, and identifying crime patterns
- All police reporting forms need to be enhanced for better crime documentation of the specific crime (s) and include the perpetrators' detailed information, as the current forms are inadequate
- There must be continual firearm training throughout the entire career of a police officer, regardless of rank
- Police Department needs to institute in-service training for all officers below the rank of Colonel on a monthly basis
- Police must have an enhanced program for drug testing officers as follows:
  - All promotions
  - Assigned to sensitive assignments
  - After a police shooting
  - Off duty incidents
- All police officers should receive bulletproof vests
- Police Department must initiate a case tracking system in order to oversee case progress and detect crime patterns:
  - The National Police should design or purchase a software program that can detect crime patterns to help build cases against career criminals and criminal gangs.
  - The Case Management programs can be used to see where criminal complaints are being held up as well as where the backlogs of the cases are recorded.
  - These programs analyze what is going on with each case.
  - The databases can have a quicker impact with crimes by speeding up investigations.

- These systems require only one or two analysts that will take the place of one hundred analysts.
- Members of the Police Department that are killed in the line of duty, should receive some form of life insurance for their families
- A detailed analysis of manpower and assignment usage must be conducted and considered a priority
- Internal Affairs Division should be provided with the best surveillance equipment to enhance their investigations, they currently lack the most basic equipment such as paper or printer ink
- Officers assigned to the Internal Investigations Division should receive special assignment money
- Police Officers should receive overtime pay if they are required to work beyond their normal working hours
- An analysis of the approximately four hundred (400) precincts should be conducted as to the necessity of so many locations, and review for the consideration of consolidation as the number precincts seems excessive
- Police officers vehicles should be equipped with mobile computers to ascertain if the individual they have stopped for a traffic violation is wanted for a more severe crime
- An analysis of the police supervision structure must be conducted to determine the proper number of officers in each rank, as it appears there is an excessive amount of Superior Officers without any true need for them
- There is a need for a greater number of first line supervisors as there is a deficient amount in those ranks
- The President's Office and Police Department need to design a clear and concise Crime Reduction strategy
- All crime statistics should be made transparent and put online weekly by the Police Department
- There is an overwhelming consensus that crime scene management is below expected and established standards including but not limited to the chain of evidence custody
- Extensive interviews and inquiries have revealed that often evidence is lost or stolen thereby making prosecution difficult if not impossible
- Based interviews and inquiries favorable or desirable assignments and promotions are often times driven by Nepotism a practice that should cease
- Anti-corruption laws must be enforced and corruption cases must be brought to trial for every element in the criminal justice system including police, prosecutors and judges who must serve time as required by applicable law
- Money and assets seized from criminal entities by the Police Department should be distributed to the Police Department and Prosecutor's Office and should be reinvested in the purchasing of equipment such as CCTV, DNA bank data banks, as well as, computers or other equipment as needed
- Integrity tests should be conducted in every command weekly as well as in the prosecutor's office

- The Police Department and Prosecutors Office must enhance and significantly increase the budgets of their Gender Violence Unit and Violence Prevention and Attention Unit respectively This increase will provide much needed specialized training, equipment and enhance women's services as follows:
  - DNA BANK to enhance cases such as: Homicide, Rape, Sodomy, or Sexual Abuse
  - Gender Based Domestic Violence (Women)
  - Abuse of children
  - These changes will increase the trust of the victim's; enhance the prosecution and conviction rates. It is reported by an international watch group that 80% of survivors of violence never file a complaint with the Prosecutor General
- Prosecutors Office should be divided into specialized divisions such as; Homicide Division, Crimes Against Persons, Crimes Against Property, Narcotics, Special Victims (Domestic Violence Sexual Assaults) and Minor Crimes
  - \*\* This is to insure prosecutors become experts and experienced in these various areas of law  
 Allowing experienced prosecutors the leverage to prosecute heinous crimes such as Homicide preventing newly appointed prosecutors from prosecuting homicides which is the current practice
- Administrative Courts should be established to deal with less serious crimes – court system is backlogged and having to deal with a variety of cases (from low level offenses to very serious crimes)
- GPS should be placed on all National Police auto, motorcycles to better track and supervise officer to ensure that they are in the high crime area and conducting the proper police patrol requirements.
- The National Police should create a cell phone division and work on major cases dealing with the large number of cell phone thief's and track where they are being taken after they are stolen
- Medical Examiner's office should be completely independent of any governmental agencies and the final cause of death should only be determined by a licensed Forensic Pathologist
- Strong indications reveal that anywhere between 30 to 40 percent of deaths are misclassified from homicide to either accidental and in some cases natural
- Medical Examiner is understaffed and underequipped and has only basic resources to perform required forensic examinations
- There is a need for an additional Medical Examiner's Office in San Cristobal due to the high volume of cases
- Often times victim's families must pay corrupt officials at an accident scene in order to take possession of their family member. The officials sometimes include Police, Medical Examiner's and or the Prosecutor's Office. The amount requested is often times based on the particular families wealth

- Victims of crimes have NO trust in the Criminal Justices System, the police must work on getting the public's trust
- Most victims do not file any Police reports when they are the victim of a crime as a direct result crime statistics is inaccurate and under reported.
- Complete analysis of the prison system must be taken immediately with the end goal of separating violent criminals that committed serious crimes with those who committed minor infractions
- Establish a state of the art Office of Emergency Management that can coordinate all emergency response team, and private service companies such as electrical and energy providers to a large scale natural disasters or man made emergencies.

April 22, 2016

## CRITICAL ISSUES

- Statistical data of crime does not appear to be factually accurate and is under reported
- There is an overwhelming need for a DNA bank in order to help in crime solving, and identifying crime patterns
- Politically connected people or wealthy individual has the power to stop any investigation, arrested or have the criminal case closed at any level of the criminal justice system.
- There must be continual firearm training throughout the entire career of a police officer, regardless of rank
- Police must have an enhanced program for drug testing officers as follows:
  - All promotions
  - Assigned to sensitive assignments
  - After a police shooting
  - Off duty incidents
- Members of the Police Department that are killed in the line of duty, should receive some form of life insurance for their families
- The President's Office and Police Department need to design a clear and concise Crime Reduction strategy
- Anti-corruption laws must be enforced and corruption cases must be brought to trial for every element in the criminal justice system including police, prosecutors and judges who must serve time as required by applicable law
- Police Department must initiate a case tracking system in order to oversee case progress and detect crime patterns:
  - The National Police should design or purchase a software program that can detect crime patterns to help build cases against career criminals and criminal gangs.
  - The Case Management programs can be used to see where criminal complaints are being held up as well as where the backlogs of the cases are recorded.
  - These programs analyze what is going on with each case.
  - The databases can have a quicker impact with crimes by speeding up investigations.
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- The Police Department and Prosecutors Office must enhance and significantly increase the budgets of their Gender Violence Unit and Violence Prevention and Attention Unit respectively This increase will provide much needed specialized training, equipment and enhance women's services as follows:
  - DNA BANK to enhance cases such as: Homicide, Rape, Sodomy, or Sexual Abuse
  - Gender Based Domestic Violence (Women)
  - Abuse of children
  - These changes will increase the trust of the victim's; enhance the prosecution and conviction rates. It is reported by an international watch group that 80% of survivors of violence never file a complaint with the Prosecutor General
- Prosecutors Office should be divided into specialized divisions such as; Homicide Division, Crimes Against Persons, Crimes Against Property, Narcotics, Special Victims (Domestic Violence Sexual Assaults) and Minor Crimes
  - \*\* This is to insure prosecutors become experts and experienced in these various areas of law  
 Allowing experienced prosecutors the leverage to prosecute heinous crimes such as Homicide preventing newly appointed prosecutors from prosecuting homicides which is the current practice
- Medical Examiner's office should be completely independent of any governmental agencies and the final cause of death should only be determined by a licensed Forensic Pathologist
- Strong indications reveal that anywhere between 30 to 40 percent of deaths are misclassified from homicide to either accidental and in some cases natural
- Often times victim's families must pay corrupt officials at an accident scene in order to take possession of their family member. The officials sometimes include Police, Medical Examiner's and or the Prosecutor's Office. The amount requested is often times based on the particular families wealth
- Most victims do not file any Police reports when they are the victim of a crime as a direct result crime statistics are inaccurate and under reported.



Abril 22 de 2016

Para: Comité Presidencial de Luis Abinader

De: Giuliani Security and Safety

Asunto: Hallazgos preliminares en seguridad y vigilancia en República Dominicana

- El Departamento de Policía debe ser reestructurado con el objeto de hacerlo más eficiente y mejorar la rendición de cuentas
- La fuerza policial debe recibir un aumento salarial sustancial y debe rendir cuentas por sus actos, además de implementar y cumplir con una política de cero tolerancia frente a la corrupción
- La información estadística de criminalidad aparentemente no es acertada, ni es reportada adecuadamente
- El Departamento de Policía debe adquirir un mapeo de punta mejorado para analizar mejor los datos de criminalidad
- Hay una necesidad contundente de implementar un banco de ADN para ayudar en la resolución de crímenes e identificar patrones de criminalidad
- Todos los informes de la policía deben ser mejorados para lograr una mejor documentación acerca de la delincuencia en términos de los crímenes específicos, y para incluir información detallada de los delincuentes, ya que las formas actuales son insuficientes
- Debe ofrecerse capacitación continua en manejo de armas de fuego a lo largo de toda la carrera de un oficial de policía, independientemente de su rango
- El Departamento de Policía debe instituir una capacitación mensual en servicio para todos los oficiales de rango inferior al de coronel
- Los oficiales de policía deben contar con un programa mejorado de prueba de drogas, aplicable para los siguientes casos:
  - Todas las promociones
  - Oficiales asignados a tareas sensibles
  - Después de un tiroteo donde esté involucrado personal de la policía
  - Incidentes fuera del horario de trabajo
- Todos los agentes de policía deben recibir chalecos antibalas
- El Departamento de Policía debe iniciar un sistema de seguimiento de casos con el fin de supervisar la evolución del caso y detectar patrones de criminalidad
  - La Policía Nacional debe diseñar o comprar un programa de software que pueda detectar los patrones de criminalidad para ayudar a construir casos contra los criminales profesionales y las bandas criminales.

- Los programas de manejo de casos se pueden utilizar para determinar donde están siendo retenidas las denuncias penales, así como dónde se está registrando la acumulación de los casos.
  - Estos programas analizan lo que está pasando en cada caso
  - Las bases de datos tienen un impacto más rápido sobre los crímenes al acelerar las investigaciones
  - Estos sistemas requieren de sólo uno o dos analistas, que tomarán el lugar de un centenar de analistas
- Los miembros del departamento de policía que pierdan la vida durante operaciones de servicio activo, deben recibir algún tipo de seguro de vida para sus familias
- Se llevará a cabo un análisis detallado del personal y la asignación del mismo, el cual se considerará una prioridad
- La División de Asuntos Internos debe estar dotada con los mejores equipos de vigilancia, con el fin de mejorar sus investigaciones; actualmente no cuenta siquiera con el equipo más básico, como papel o tinta para la impresora
- Los oficiales asignados a la División de Asuntos Internos deben recibir un dinero especial por asignación
- Los oficiales de policía deben recibir pago por tiempo extra si están obligados a trabajar más allá de sus horas de trabajo normales
- Debe llevarse a cabo un análisis de los cerca de cuatrocientos (400) distritos policiales para determinar la necesidad de tantos distritos, y una revisión para analizar el número de distritos, ya que parece excesivo
- Las patrullas de los agentes de policía deben estar equipadas con equipos móviles para determinar si el individuo que se ha detenido por una violación de tráfico es buscado por un crimen más grave
- Debe llevarse a cabo un análisis de la estructura de supervisión de la policía para determinar el número adecuado de oficiales para cada rango, ya que parece que hay una cantidad excesiva de Oficiales Superiores, sin necesidad evidente
- Es necesario un mayor número de supervisores de primera línea, ya que evidentemente hay pocos oficiales de este rango
- La Oficina del Presidente y el Departamento de Policía necesitan diseñar una estrategia clara y concisa para la reducción de la delincuencia
- Todas las estadísticas de criminalidad deben ser transparentes y ser publicadas semanalmente en línea por el Departamento de Policía
- Existe un consenso abrumador que la gestión en la escena del crimen se encuentra por debajo de lo esperado y de los estándares establecidos, incluyendo pero no limitado a la cadena de custodia de la evidencia
- Extensas entrevistas e investigaciones han revelado que a menudo la evidencia se pierde o es robada, con lo cual el enjuiciamiento es difícil, si no imposible
- Las entrevistas y consultas sesgadas y las tareas y promociones favorables o deseables son a menudo impulsadas por el nepotismo, una práctica que debe cesar

- La legislación anti-corrupción deben aplicarse y los casos de corrupción deben ser llevados a juicio independientemente de la posición del actor dentro del sistema de justicia criminal incluyendo la policía, fiscales y jueces, quienes deben cumplir con las sentencias establecidas por la ley aplicable
- El dinero y los bienes incautados a las organizaciones criminales por parte del departamento de policía deben ser distribuidos al Departamento de Policía y la Oficina del Fiscal y deben ser reinvertidos en la compra de equipos, tales como circuitos cerrados de televisión, bancos de datos, el banco de ADN, así como, ordenadores u otros equipos, según sea necesario
- Deben llevarse a cabo pruebas de integridad semanales en todos los comandos, así como en la Oficina del Fiscal
- El Departamento de Policía y el Ministerio Público deben mejorar y aumentar significativamente los presupuestos de la Unidad de Violencia de Género y la Unidad de Prevención y Atención a la Violencia, respectivamente. Este aumento proporcionará una muy necesaria capacitación especializada, más equipos y mejorará los servicios para las mujeres de la siguiente manera:
  - Banco de ADN para mejorar casos tales como: Homicidio, Violación, Sodomía, o Abuso sexual
  - Violencia Doméstica de género (mujeres)
  - El abuso de niños
  - Estos cambios aumentarán la confianza de las víctimas y mejorará las tasas de enjuiciamiento y condena. Un grupo internacional de vigilancia informa que el 80% de los sobrevivientes de la violencia nunca presentan una denuncia ante el fiscal general
- Los fiscales deberían estar divididos en divisiones especializadas, tales como; División de homicidio, Delitos contra las personas, Delitos contra la propiedad, Narcóticos, Víctimas especiales (violencia doméstica y agresiones sexuales) y delitos menores

**\*\* Esto para asegurar que los fiscales se conviertan en expertos y cuenten con experticia en estas diversas áreas del derecho, permitiendo a los fiscales experimentados el apalancamiento necesario para juzgar crímenes atroces como los homicidios, e impidiendo que los fiscales recién nombrados lo hagan, como ocurre en la actualidad**

- Deben establecerse tribunales administrativos para hacer frente a los delitos menos graves, el sistema judicial cuenta con una gran cantidad de proceso atrasados y debe tratar con una gran variedad de casos (desde delitos de menores hasta delitos muy graves)
- Se debe colocar un sistema GPS en todos los vehículos y motocicletas de la Policía Nacional, para un mejor seguimiento y supervisión de los agentes, asegurando que se encuentren en las zonas de alta criminalidad y estén cumpliendo con los requisitos adecuados
- La Policía Nacional debe crear una división de telefonía celular y trabajar sobre los principales casos que involucren un gran número de ladrones de teléfonos celulares, y dar seguimiento para determinar el lugar donde los equipos están siendo llevados después del hurto

- El despacho del médico forense debe ser completamente independiente de cualquier dependencia gubernamental y la causa final de la muerte sólo debe ser determinada por un patólogo forense certificado
- Existen fuertes indicaciones que señalan que entre el 30 y el 40 por ciento de las muertes por homicidio son clasificadas erróneamente, ya sea como accidentales, o en algunos como naturales
- El despacho del Médico Forense no cuenta con suficiente personal y equipos y sólo cuenta con los recursos básicos para la realización de los exámenes forenses requeridos
- Se necesita de una oficina de medicina forense adicional en San Cristóbal, debido al alto volumen de casos
- A menudo las familias de las víctimas deben sobornar a funcionarios corruptos en el lugar del accidente para poder tomar posesión de familiar. A veces los funcionarios incluyen agentes de policía, dependientes del despacho de medicina forense o de la Fiscalía. La cantidad solicitada a menudo se determina de acuerdo con la riqueza particular de la familia.
- Las víctimas no tienen confianza alguna en el sistema penal judicial, por lo cual la policía debe trabajar para ganarse la confianza del público
- La mayoría de las víctimas no presentan denuncias ante la policía cuando son víctimas de un crimen, por lo tanto esto genera como resultado directo que las estadísticas de criminalidad sean inexactas y no sean reportadas adecuadamente
- Se necesita llevar a cabo inmediatamente un análisis completo del sistema penitenciario con el objetivo final de separar los criminales violentos que han cometido delitos graves de quienes han cometido infracciones menores.
- Establecer una moderna Oficina de gestión de emergencias que pueda coordinar a los equipos de emergencia y las empresas privadas, tales como los proveedores de electricidad y energía frente a un desastre natural a gran escala o a emergencias causadas por el hombre

Abril 22 de 2016

## PUNTOS CRITICOS

- La información estadística de criminalidad aparentemente no es acertada y ni es reportada adecuadamente
- Hay una necesidad contundente de implementar un banco de ADN para ayudar en la resolución de crímenes e identificar patrones de criminalidad
- Los individuos con conexiones políticas o individuos adinerados tienen el poder para detener las investigaciones, los arrestos o cerrar los procesos penales en cualquier instancia del sistema de justicia penal
- Debe ofrecerse capacitación continua en manejo de armas de fuego a lo largo de toda la carrera de un oficial de policía, independientemente de su rango
- Los oficiales de policía deben contar con un programa mejorado de prueba de drogas, aplicable para los siguientes casos:
  - Todas las promociones
  - Oficiales asignados a tareas sensibles
  - Después de un tiroteo donde esté involucrado personal de la policía
  - Incidentes fuera del horario de trabajo
- Los miembros del departamento de policía que pierdan la vida durante operaciones de servicio activo, deben recibir algún tipo de seguro de vida para sus familias
- La Oficina del Presidente y el Departamento de Policía necesitan diseñar una estrategia clara y concisa para la reducción de la delincuencia
- La legislación anti-corrupción deben aplicarse y los casos de corrupción deben ser llevados a juicio, independientemente del actor dentro del sistema de justicia criminal incluyendo la policía, fiscales y jueces, quienes deben cumplir con las sentencias establecidas por la ley aplicable
- El Departamento de Policía debe iniciar un sistema de seguimiento de casos con el fin de supervisar la evolución del caso y detectar patrones de criminalidad
  - La Policía Nacional debe diseñar o comprar un programa de software que pueda detectar los patrones de criminalidad para ayudar a construir casos contra los criminales profesionales y las bandas criminales.

- Los programas de manejo de casos se pueden utilizar para determinar dónde están siendo retenidas las denuncias penales, así como dónde se está registrando la acumulación de los casos.
  - Estos programas analizan lo que está pasando en cada caso
  - Las bases de datos tienen un impacto más rápido sobre los crímenes al acelerar las investigaciones
- El Departamento de Policía y el Ministerio Público deben mejorar y aumentar significativamente los presupuestos de la Unidad de Violencia de Género y la Unidad de Prevención y Atención a la Violencia, respectivamente. Este aumento proporcionará una muy necesaria capacitación especializada, equipos y mejorará los servicios para las mujeres de la siguiente manera:
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- Los fiscales deberían estar divididos en divisiones especializadas, tales como; División de homicidio, Delitos contra las personas, Delitos contra la propiedad, Narcóticos, Víctimas especiales (violencia doméstica y agresiones sexuales) y delitos menores
  - \*\* Esto para asegurar que los fiscales se conviertan en expertos y cuenten con experticia en estas diversas áreas del derecho, permitiendo a los fiscales experimentados el apalancamiento necesario para juzgar crímenes atroces como los homicidios, e impidiendo que los fiscales recién nombrados lo hagan, como ocurre en la actualidad
- El despacho del médico forense debe ser completamente independiente de cualquier dependencia gubernamental y la causa final de la muerte sólo debe ser determinada por un patólogo forense certificado
- Existen fuertes indicaciones que señalan que entre el 30 y el 40 por ciento de las muertes por homicidio son clasificadas erróneamente, ya sea como accidentales, o en algunos como naturales
- A menudo las familias de las víctimas deben sobornar a funcionarios corruptos en el lugar del accidente para poder tomar posesión de familiar. A veces los funcionarios incluyen agentes de policía, dependientes del despacho de medicina forense o de la Fiscalía. La cantidad solicitada a menudo se determina de acuerdo con la riqueza particular de la familia
- La mayoría de las víctimas no presentan denuncias ante la policía cuando son víctimas de un crimen, por lo tanto esto genera como resultado directo que las estadísticas de criminalidad son inexactas y no son reportadas adecuadamente