

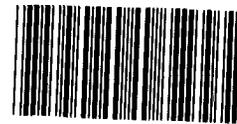
GAO

Report to the Chairman, Subcommittee on
Foreign Operations, Committee on
Appropriations, U.S. Senate

May 1992

AID TO PANAMA

Improving the Criminal Justice System



146678

**RESTRICTED--Not to be released outside the
General Accounting Office unless specifically
approved by the Office of Congressional
Relations.**

RELEASED

■

**National Security and
International Affairs Division**

B-247666.2

May 12, 1992

The Honorable Patrick J. Leahy
Chairman, Subcommittee on Foreign
Operations
Committee on Appropriations
United States Senate

Dear Mr. Chairman:

As requested, we have reviewed U.S. assistance to Panama in reforming its criminal justice system during the period following the U.S. military intervention in December 1989. Our objectives were to determine the status and evaluate the effectiveness of U.S. efforts to help Panama (1) develop professional police forces, (2) create an independent judiciary, and (3) improve prison conditions.

Background

For 22 years, Panama's combined military-police forces—known since 1983 as the Panamanian Defense Forces (PDF)—shaped the country's political, economic, and social structures and controlled the executive, legislative, and judicial branches of government. While the PDF was responsible for maintaining public order and providing for the safety of Panamanian citizens, it was also involved in a wide variety of corrupt practices, human rights abuses, and criminal activities.

In the aftermath of the U.S. military intervention, the United States initiated programs to help Panama reform its criminal justice system. In January 1990, the Department of Justice's International Criminal Investigative Training Assistance Program (ICITAP), at the request of the Department of State, initiated a program to develop a professional, civilian-controlled police force and to improve the investigative capability of the Judicial Technical Police,¹ a detective force that assists in the investigation and prosecution of crimes. In mid-1990, the Agency for International Development (AID) began a 5-year program to reform and strengthen the judiciary, including the courts, prosecutors, and public defenders. The United States does not have a program specifically designed to improve prison conditions in Panama.

¹Under the regime of General Manuel Noriega, the Judicial Technical Police was known as the DENI, a secret police organization that repressed political dissidents and participated in corrupt practices.

Results in Brief

As of March 1992, ICITAP had spent or committed \$13.2 million of what it expects to be about a \$60 million 5-year program to help equip, train, and professionalize Panama's new National Police force and the Judicial Technical Police. Progress has been made, but several problems remain.

- Police pay and benefits are poor—even with a recent \$25 per month pay raise—and morale is low, resulting in a less effective force.
- Public opinion polls have indicated that public confidence in the police has been lacking, although State cited recent events as evidence that the police forces' image might be improving.
- Turnover of police leadership has been disruptive, although the State Department stated that the leadership has been stable since October 1991.
- Politicization of the police forces remains a concern.

Both Panamanian and U.S. officials are working to resolve these problems. However, according to ICITAP officials, the lack of adequate Panamanian resources devoted to the police could hinder the two forces from becoming self-sufficient, capable, and effective. State said that the police forces were one of many public interests vying for Panama's limited resources.

In mid-1990, AID began a 5-year, \$13.1 million effort to improve the judicial system in Panama, and as of November 1991, AID had spent or committed \$2.1 million for a variety of activities to improve the fairness and independence of the judiciary. Although AID's program is new, Panama has begun to increase financial support for fiscal year 1992, enact legislation, and make administrative reforms to improve the judicial system. However, problems remain. The court system is clogged with a backlog of cases—17,879 as of September 30, 1991; suspects are detained for long periods awaiting trial; prosecutorial authorities weaken the legal guarantees of defendants; suspects do not receive adequate legal representation; and administrative courts operating outside the judicial system raise concerns about due process and protection of the rights of the accused. Despite recent funding increases, financial support by the Panamanian government remains a concern.

The Panamanian government has just begun to address the problems of the corrections system. The United States has provided only limited assistance to it, none with Foreign Assistance Act funds. Panama's prisons are extremely overcrowded and unsanitary, with various categories of prisoners housed together and guarded by untrained personnel. Furthermore, case files are often lost, and prisoners cannot always be produced for court appearances.

Problems Impede Police Reform Progress

As of March 1992, \$22.5 million—\$13.2 in economic support funds provided by ICITAP and \$9.3 million in military assistance funds—had been made available to improve the National Police and Judicial Technical Police. All of the \$9.3 million in military assistance funds and \$6.4 million of the economic support funds had been spent. Military assistance funds were used to purchase equipment, while ICITAP funding was used for training over 5,000 police officers, institutional development, contractor costs, and operating expenses. In addition to funds already available, ICITAP plans to use about \$10 million annually through fiscal year 1995 to improve the police forces.

With ICITAP's assistance, the Panamanian government has made progress in professionalizing its police forces, over 90 percent of whom are former PDF personnel. ICITAP reports that its accomplishments include (1) removing the corrupt leadership of the PDF from the police, (2) assisting the Panamanian government in establishing a police academy, (3) equipping and training the force according to traditional police standards, and (4) establishing offices of professional responsibility to investigate and take action on allegations of misconduct.

Nonetheless, the police forces still face serious problems that undermine their professionalism, effectiveness, public image, and independence. Among the key problems have been poor pay, few benefits, and the lack of an established policy to guide police careers. Even after a \$25 per month pay raise effective March 1, 1992, the average monthly base salary for police officers was only \$318, substantially lower than the \$425 per month earned by a junior secretary in Panama or the \$427 average monthly salary of central government workers. Under Noriega, entry-level officers were paid about the same as they had been until the March 1, 1992, pay increase, but during that era their salaries were supplemented by free goods, services, housing, and medical care—benefits that are no longer available.

ICITAP officials stated that poor pay, lost benefits, and an undefined professional stature fueled discontent among police officers. Low morale invited corruption and absenteeism, affected performance and readiness, and hurt recruiting. Police at the lower levels were reportedly soliciting bribes as they enforced traffic laws to supplement their salaries. In March 1992, the top U.S. military officer in Panama stated that morale and pay within the police remained low, and this resulted in less effective forces. He further stated that while progress was being made, the Panamanian

National Police force was not yet a professional law enforcement organization.

Despite ICITAP and Panamanian efforts to change the operations and image of the National Police, the public still lacks confidence in them. For example, opinion polls taken by the independent newspaper La Prensa during February and June 1991 showed that more than 70 percent of those surveyed had no confidence in the police. According to the polls, the public still identified the police with the PDF, was concerned about high crime rates, and believed that government corruption was still widespread. In commenting on a draft of this report, the State Department said public confidence in the police had risen since the June 1991 poll. It cited a February 1992 La Prensa editorial urging the public not to underestimate the progress being made by the police and stated that events in late February and early March 1992 showed that both the media and the public were developing a more positive view of the police.

Efforts are being made to improve police relations with the public. For example, ICITAP helped the government establish offices of professional responsibility in the National Police and the Judicial Technical Police to investigate corrupt practices, official misconduct, and human rights violations. The new offices investigated 495 cases from January to November 1991 and resolved several allegations of wrongdoing, including theft, bribery, and corruption. Some investigations have led to disciplinary actions, such as suspension, dismissal, and criminal prosecution.

According to ICITAP and other U.S. officials, ICITAP's success in correcting these problems will depend largely on whether the government of Panama provides the financial resources necessary for long-term development of the police forces. These officials, as well as a recent Department of Justice evaluation report on the ICITAP program, indicated that without salary and benefit increases, it will be virtually impossible to have self-sustaining, honest, publicly respected, and professional police forces—the fundamental goal of ICITAP's assistance to Panama.

Panamanian officials have recognized the need for additional resources, but the government has not determined the optimal pay and benefits structure for police officers or how additional increases in pay and benefits could be funded. The government has increased police salaries by 9 percent and the overall law enforcement budget by slightly more than 1 percent. Nevertheless, given the competition for scarce resources, pressure from international financial institutions to reduce the public

payroll, and salaries already comprising 74 percent of the police budget, ICITAP and other officials see little promise of substantial budget increases.

In addition, according to ICITAP officials, the government of Panama, until recently, had not formulated a long-range policy guiding the composition and development of the police, and even now a fully developed policy with which ICITAP can coordinate its assistance over the next 3 to 5 years does not exist. Consequently, neither ICITAP nor Panamanian officials know the final structure or size of the police forces, or what equipment and other resources will be needed.

Another problem facing the police force was the almost continuous turnover in leadership that had brought in new and inexperienced commanders and senior civilian managers. ICITAP officials acknowledged that such changes had slowed the momentum of police reform. In commenting on a draft of this report, State said that since October 1991, both the National Police and the Judicial Technical Police had no turnover in their top civilian leadership, bringing stability and a sense of continuity to the police force.

ICITAP and U.S. Embassy officials told us that renewed politicization of the police remains a concern and close civilian control is the best guard against this happening. Embassy officials in Panama said that during 1990 and 1991, this issue was a legitimate concern, as Panama's fragile democratic institutions were susceptible to many influences. These officials believe, however, that Panamanian officials understand that the threat of police politicization can best be overcome by sustaining the development of professional police forces.

Progress in the Judiciary

On March 8, 1991, AID signed a \$12 million, 5-year agreement to assist Panama in improving its administration of justice. This was in addition to the \$1.1 million that supported administration of justice activities in 1990. As of November 1991, AID had spent or committed \$2.1 million to repair the supreme court building, which was damaged during the U.S. military intervention; purchase office supplies and equipment; hold workshops; and support several other projects and activities. In addition, AID officials worked with Panamanian officials to make some legislative and administrative changes that are intended to improve the judicial system.

AID has begun using the remaining funds to implement the Improved Administration of Justice project, intended to help Panama develop a fair,

expeditious judiciary that is independent of political and other influences. AID's specific objectives include improving the hiring and promotion practices of the judiciary, establishing a judicial career system to promote independence, upgrading case-filing and record-keeping capabilities, and providing legal library facilities and related resources. AID officials stated that the Panamanian government was making progress in enacting laws and changing regulations to improve the judicial system; however, serious concerns remain.

Prolonged Detention Without Trial

As of September 30, 1991, about 84 percent of the inmates in Panama's prisons and jails were suspects awaiting trial. Many individuals have remained imprisoned for years waiting for a trial, with the period served in pretrial detention often exceeding the sentence the individual would have served if tried and convicted. A February 1991 Department of State report noted that pretrial detention of suspects for as long as 5 years was not uncommon.

In January 1991, the Panamanian government amended its laws to narrow the circumstances under which suspects may be detained prior to trial. Prosecutors are now required to offer alternatives to pretrial confinement such as house arrest. Furthermore, each month judges are required to go to the prisons to interview detainees, review each case file to make sure detention is proper, and set court dates. Also, the courts now have a policy of giving priority to pretrial confinement cases.

Despite these changes, available data indicates that the pretrial detainee population increased from about 80 percent to about 84 percent of the overall prison population from June to September 1991—an increase of over 100 pre-trial detainees. The changes that have been made to the system should eventually reduce the number of pretrial detainees. However, U.S. officials recognize that most prisoners do not have access to legal representation and therefore cannot exercise their rights as provided by Panamanian law.

Backlog of Cases Clogs System

As of September 30, 1991, the case backlog in the courts stood at 17,879 cases, an increase of 3,778 cases since June 30, 1991, and the Attorney General's case backlog was 5,130. Although these were the best figures available, their accuracy is in doubt because (1) there is no uniform and accurate record-keeping and case-tracking system; (2) there is no standard definition of a "case" for reporting purposes; (3) paperwork is

processed, maintained, and accessed by hand because circuit and municipal courts lack computer equipment; (4) the case-filing system is inadequate; and (5) modern case management procedures are not followed.

Factors which impede the courts' ability to hear cases and reduce the backlog include the following:

- Too few experienced judges are available because of a lack of financial resources.
- The administrative duties of judges take time away from case management activities.
- Judges, prosecutors, and other court personnel are insufficiently, infrequently, and unsystematically trained.

According to AID, some progress has been made: (1) four new courts were added in 1991, and five more are expected in 1992; (2) the position of court auxiliary was added to circuit and magisterial courts; (3) amendments to the criminal procedures code will reduce the time frames within which a case must be transferred from investigators to prosecutors and to the courts; and (4) judges from the criminal section of the supreme court meet every 3 months with judges of each province to examine the causes of the delays and to exchange information on ways to speed the movement of cases through the courts.

Prosecutors Have Broad Authorities

Critics of the Panamanian prosecutorial system assert that prosecutorial authorities weaken the legal guarantees against arbitrary arrest and for a prompt hearing before an independent judge. Prosecutors represent the state, but they also conduct pretrial proceedings, issue arrest orders and search warrants, and decide whether to detain a suspect prior to trial—functions typically reserved for judicial magistrates in other Latin American countries. In addition, according to AID officials, Panamanian prosecutors are supposed to complete investigations within 2 months, but frequently do not meet this requirement. These officials stated that prosecutors' case loads were very heavy—averaging about 100 cases at any given time—and adequate resources were lacking.

AID officials stated that the extent of prosecutorial discretion and the reforms needed were frequently discussed with Panamanian officials and that some progress was being made. For example, suspects are now

allowed to read their statements before signing them, and they are to be told they have a right to have an attorney represent them.

Suspects Lack Adequate Representation

Most criminal defendants lack access to legal representation and are unable to meaningfully assert their legal rights. According to AID, only a small percentage of private attorneys practice criminal law, and most criminal suspects cannot afford to hire them. Panama's constitution requires the government to furnish free legal assistance to those who need it, but as of July 1991, there were only 20 public defenders in Panama. As of April 1992, each public defender had an average of 300 cases. Legislation effective January 1, 1992, requires the presence of a lawyer during questioning by the Judicial Technical Police. However, even with the additional 15 public defenders authorized in fiscal year 1991, the number is still short of what is needed to ensure the availability of counsel for indigent suspects. According to U.S. Embassy officials, the Public Defenders Institute, a Panamanian organization, is considering providing for the full-time presence of a public defender at Judicial Technical Police headquarters to meet this need. A problem may continue, however, for suspects awaiting trial who are detained at the prison on Coiba Island, which is not easily accessible to a public defender.

AID's Improved Administration of Justice project will address some of these issues. AID is implementing a multiyear pilot project that will provide public defenders with office space and equipment, train support staff, pay for investigators and social workers, and take other measures to assist public defenders in carrying out their work. The pilot project also is designed to determine what resources public defenders need to perform their job effectively and to determine how many are needed. AID officials believe that funding systemwide improvements by the Panamanian government will remain a significant problem, although the success of the program is not as dependent on Panamanian funding as is the ICITAP program.

Administrative Courts Operate Outside of the Judicial System

Although administrative courts are part of the executive branch, they try minor civil and criminal cases. According to AID officials, these courts deal with crimes such as domestic quarrels, street fights, injury cases that have a recovery period of less than 31 days, and thefts or other crimes that have a consequence value of \$500 or less, and they can sentence people to jail for up to 2 years. The use of these courts raises serious concerns about due process and the protection of the rights of suspects. For example,

-
- administrative court decisions are not regulated by the Code of Criminal Procedures, and decisions are not subject to judicial appeal;
 - administrative court magistrates are appointed by mayors, few are lawyers, most lack legal experience or training, and many have only a primary or high school education; and
 - constitutional guarantees of due process are often neglected.

AID's Improved Administration of Justice project does not address the administrative court process. Nevertheless, AID officials stated that these courts should be brought under the criminal justice system and into the judiciary and that U.S. officials continuously put this subject on the agenda at meetings with Panamanian officials. So far there has been little response by Panamanian officials, but AID believes incremental changes will be made. For example, legislation has been introduced to stop holding administrative court at night because of (1) abuses that occurred during the Noriega regime, (2) budgetary considerations, and (3) the belief that daytime operations are better supervised. However, Panamanian officials said that this was a politically sensitive issue and they doubted whether major changes would occur in the foreseeable future.

Because AID's Improved Administration of Justice project was just beginning during our review, it was too early to assess its effectiveness. However, AID officials were concerned about whether Panama would be able to provide sufficient financial resources to support needed reforms. According to judiciary officials, the judicial sector already suffers from low funding levels because it competes for funds with other sectors, such as health care, education, employment, housing, and transportation, which the Panamanian government considers to be higher priorities.

Minimal U.S. Involvement in the Corrections System

AID, ICITAP, and Panamanian officials, as well as a former U.S. diplomat in Panama with whom we spoke, said that improving prison conditions in Panama was integral to the overall success of the U.S. assistance efforts. However, U.S. assistance to date has been minimal. Section 660 of the Foreign Assistance Act of 1961 prohibits the use of foreign assistance funds for prisons. AID has not sought a waiver that would allow it to provide any assistance in this sector. The only involvement the United States has had in this area was a four-person Department of Justice team that spent 1 week in Panama in early 1991 studying Panama's prison system. The

team of experts offered the Panamanian government suggestions on how the problems it observed might be corrected.²

Panama's corrections system has several serious problems. Prisons and jails are overcrowded; facilities are unsanitary; prisoners are not segregated according to status, age, or type of crime; inmates' daily lives are pervasively idle; corrections officials cannot always produce prisoners scheduled to appear in court; and case files are often lost. The government has not established standard procedures for running prisons, no central authority manages the system, and untrained police guards staff the prisons.

Prisons we visited were unsanitary and in serious disrepair. Plumbing did not work at many locations and, at one facility, had not worked since the late 1950s. We observed at one prison the open discharge of sewage through the center of the facility, dirty cells, exposed electrical wiring, unusable latrines, and unsanitary kitchen facilities.

Except for females and political prisoners, prisoners were not segregated according to any generally recognized standard such as trial status, personality type, health, or security-level requirements. For example, some prisoners at the prison in Colon suffered from communicable diseases, but were not separated from noninfected prisoners. Also, pretrial detainees are housed with convicted offenders, convicted offenders are commingled regardless of the severity of crimes committed, and pretrial inmates often were housed in facilities with poor access to courts and attorneys, as at Coiba prison, a 10-hour boat ride from the mainland.

The corrections system has no comprehensive operating regulations on prison management, security, facilities, fiscal management, construction, administration, or personnel. Nor are there standards for the treatment of inmates, such as standards for food, clothing, medical services, and sanitation. Operating authority is decentralized, and each prison operates independently, applying its own rules and methods of operation.

Improving conditions in the corrections system had not been a high priority of the Panamanian government. According to AID and U.S.

²The U.S. Bureau of Prisons received authority under Public Law 102-140, dated October 28, 1991, to provide technical assistance and advice on corrections-related issues to foreign governments, but the Bureau does not currently have a program in Panama.

Embassy officials, Panamanian officials believed their country had more pressing needs. However, in commenting on a draft of this report, the State Department said that despite funding constraints, the Panamanian government is increasingly focusing attention and resources on improving the deplorable state of its prisons. State said that the construction of a \$2.4 million, 1,000-bed facility, a \$200,000 annex at another prison, and renovations at two other prisons—all of which are now in process—will greatly improve the lot of Panama's prisoners. Also in commenting on this report, the Department of Justice stated that the National Institute of Corrections had developed for Panama several plans to ameliorate prison conditions, and that during fiscal year 1992 training and technical assistance will be provided.

Recommendation

Panamanian government financial support is critical to the success of ICITAP's effort to help develop functioning professional civilian police forces in Panama, and without such support the program will likely fail over the long term. Therefore, we recommend that before a U.S. financial commitment to this program is made for fiscal year 1993, and for each fiscal year thereafter, the Secretary of State direct the U.S. Ambassador to Panama to obtain from the Panamanian government, a demonstration of Panama's resolve and capability to provide resources adequate to enable the program to succeed so that the U.S. government investment in the program will not be wasted.

Agency Comments and Our Evaluation

The Departments of State and Justice and AID disagreed with our recommendation that U.S. financial support for the Panamanian police forces not be continued beyond fiscal year 1992 unless the Panamanian government provided assurance that adequate Panamanian resources would be forthcoming to enable the program to succeed. Our concern in making this recommendation was that adequate resources had not been made available, and without the commitment of adequate local resources to deal with problems of low pay, benefits, and morale, the ICITAP program, with all its positive aspects, could not ultimately succeed in creating effective, professional, civilian law enforcement agencies. While not explicitly stated, it appears that the agencies' disagreement with our recommendation is based on their belief that recent actions by the Panamanian government demonstrate its support for the programs and that assurances of financial support are unnecessary. State and Justice noted that since the completion of our fieldwork, the Panamanian government has demonstrated its commitment to supporting the

development of the National Police. State said that since November 1991, the Panamanian president has both spoken and written on several occasions in support of the Panamanian police and their civilian role, and State and Justice cited increased Panamanian budget allocations for law enforcement agencies as evidence of that commitment.

We agree with State and Justice that the recent actions by the Panamanian government show more support for the program than had been previously demonstrated. However, we believe it is important to note that in responding to our recommendation, neither State nor Justice said that the recent increases in Panama's financial support for the program were adequate, or that continued support could now be expected. Instead, in commenting on the environment in which the Panamanian government has been operating, State said that the

"public feeling towards the police, influenced by distrust, often has tempered GOP [Government of Panama] efforts in public safety matters. More significantly, Panama's weak overall financial situation has resulted in stringent economic measures being adopted to rectify years of abuse and mismanagement of the public financial sector. A wide spectrum of competing public interests vie for the GOP's limited resources. The police are necessarily part of this competition for resources to address fundamental needs."

State said that despite its serious economic constraints, Panama is making essential financial commitments to law enforcement.

For the program to develop the National Police to go forward and succeed, the support for the program recently exhibited by the Panamanian government will have to continue. We agree with State that the U.S. government has a strong interest in helping Panama consolidate and strengthen its nascent democracy, and that improving Panama's institutions for the administration of justice is crucial to a stable democracy. However, we believe that the U.S. government cannot accomplish this goal without the full and continuing support—including financial support—of the Panamanian government. As State indicated in its comments, conditions that affect such support have not remained constant, and a wide spectrum of public interests compete for scarce Panamanian resources. Accordingly, we have modified our recommendation to suggest that each year before a U.S. financial commitment to the police development program is made, the U.S. Ambassador to Panama obtain from the Panamanian government a demonstration of Panama's resolve and capability to provide resources adequate to enable the program to succeed.

Technical corrections and updated information based on State, Justice, and AID comments have been incorporated in the report where appropriate. The full text of their comments are reprinted in appendixes I, II, and III.

Scope and Methodology

To assess the status and impact of the U.S. assistance program and to obtain views on the conditions and progress of Panama's criminal justice system, we interviewed and obtained documents from officials of the U.S. Embassy in Panama, AID and ICITAP in Washington, D.C., and Panama, and the Department of State in Washington, D.C. We also interviewed academic experts on Panama from the University of Miami, Florida International University, and Southern Illinois University. Finally, we interviewed a wide variety of Panamanian government and nongovernment officials to obtain additional perspectives.

We conducted our review from March 1991 to March 1992 in accordance with generally accepted government auditing standards.

As arranged with your office, unless you publicly announce its contents earlier, we plan no further distribution of this report until 7 days from the date of this letter. At that time, we will send copies to the Secretary of State, the Administrator of AID, the Attorney General, and the Director of the Office of Management and Budget. We will also make copies available to other interested parties upon request.

The major contributors to this report are listed in appendix IV. Please contact me on (202) 275-5790 if you or your staff have any questions or need additional information concerning this report.

Sincerely yours,



Harold J. Johnson
Director, Foreign Economic
Assistance Issues

Contents

Letter		1
Appendix I		16
Comments From the Department of State	GAO Comment	28
Appendix II		29
Comments From the Department of Justice		
Appendix III		32
Comments From the Agency for International Development		
Appendix IV		33
Major Contributors to This Report		

Abbreviations

AID	Agency for International Development
ICITAP	International Criminal Investigative Training Assistance Program
PDF	Panamanian Defense Forces

Comments From the Department of State

Note: GAO comments supplementing those in the report text appear at the end of this appendix.



United States Department of State

Washington, D.C. 20520

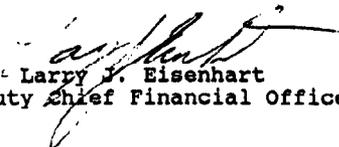
APR 6 - 1992

Dear Mr. Conahan:

Thank you for the opportunity to comment on your draft report, "Aid to Panama: Improving the Criminal Justice System" (GAO Job Code 472241). Comments are enclosed.

If you have any questions on this issue, please call Ron Kirkpatrick, ARA/PAN, on (202) 647-4986.

Sincerely,


Larry J. Eisenhart
Deputy Chief Financial Officer

Enclosure:
As stated.

Mr. Frank C. Conahan,
Assistant Comptroller General,
National Security and International Affairs,
U.S. General Accounting Office,
441 G Street, N.W.,
Washington, D. C. 20548

See comment 1.

GAO Draft Report: Aid to Panama: Improving the
Criminal Justice System (GAO Job Code 472241)

The Department of State believes that the ICITAP program in Panama, as it exists in March, 1992, is commendable for the strides it has made in professionalizing the National Police. Those strides are not fairly reflected in the subject report, which presents seriously outdated information within a qualitatively different analytical framework.

This study was conducted while ICITAP and AOJ were in the initial process of creating and implementing one of their largest and most ambitious programs in a country where they had no previous administrative base of operations. At this early stage it was impossible to evaluate either adequately or fairly "the effectiveness of U.S. efforts to help Panama (1) develop a professional police force, (2) create an independent judiciary and (3) improve prison conditions."

For ICITAP as well as the AOJ, therefore, the "snapshot" of early efforts described in the subject report more fairly merits the summary given to the AOJ project (page 19): "Some Improvements Achieved but too Early to Evaluate Success."

Since the various segments of this report were written, a great deal has changed:

- o On November 22, 1991, in his speech at graduation ceremonies at the police academy, President Endara praised the academy's efforts and pledged both continued support and the allocation of sufficient resources for the academy to carry on with its important civilianization training.
- o President Endara has spoken and written in support of the Panamanian police and their civilian role. On February 6, 1992, Endara gave a speech to the Panamanian Chamber of Commerce, Industry and Agriculture, in which he strongly endorsed the achievements of the national police and the re-orientation of the institution and the "vast majority of its members" as a professional and civilian police force, committed to defending the basic rights of citizens in a free society. He also wrote a message of support for the police which was carried on the editorial page of the February 26, 1992, edition of La Prensa. Endara repeated the same positive themes in a speech before the Panamanian chamber of commerce on March 6. The Embassy noted: "The GOP's ability to back up its rhetoric of support for Panama's national police with a salary increase is no small triumph."
- o The police received the first of three projected pay increases on January 1, 1992 (effective March 1, 1992). This increase went to nearly 97 per cent of the force, over 10,000 people. Given the stiff competition for very scarce GOP budget resources, and pressure from international financial institutions to reduce public payroll expenditures, this is a very clear and positive sign of support.

Appendix I
Comments From the Department of State

- o Early this year, the most experienced and capable civilian law enforcement manager in Panama was shifted from the PTJ to head the national police. He is providing strong and capable leadership.
- o His predecessor was removed because he had engaged in politics. The GOP determination to have a non-politicized police is valid and will remain so: it should neither be seen as, nor inferred to be, an indication of the imminent collapse of a professionalized police force with competent civilian leadership.
- o The number three professional of the PTJ was recently designated director of training for Panama's Judicial Technical Police. He had been number three since the PTJ was formed in January, 1990. Though it is a shift in leadership, this could hardly be interpreted as weakening the PTJ, as it supports creation of a professionally-trained civil-minded force.
- o The post of inspector general in the police has been revived. The IG's office has begun a program which will allow them to visit all PNP locations within one year. Their initial visits were seen as productive and morale-boosting.
- o The Academy's new firearms range opened March 23, 1992, jointly built by Panama and ICITAP. Panama is providing laborers to build classrooms in addition, and the GOP has allocated \$110,000 from the FY-'92 budget for capital improvements to the academy. These represent substantial commitments of budgetary resources by the GOP, during a time of financial stringency.
- o The public perception of the police has risen since the June, 1991 polls quoted in the subject report. For example, the Panama America editorial of February 21, 1992 stated that: "...it would be unjust for the public to underestimate the progress which has been made in the direction of providing the country with an efficient, trained, responsible, non-partisan police force, committed to...representative government." The police also received kudos from all sides (GOP, Panamanian public and press) for the police performance during the 1992 carnival period (February 29-March 3, 1992). "While isolated criminal incidents and traffic accidents occurred nationwide," the Embassy reported, "public and media reaction to the police's performance was very positive. Public reaction to the strong police presence was not to see them as threatening, but instead as providing service and protection to the community. On Tuesday night, as the last floats glittered by, television commentators characterized the entire police effort, including traffic control, as 'tremendous.' In a March 5 man-on-the-street survey... leading daily La Prensa captured wide-ranging positive comments about the contribution of the police."
- o An organic law setting out police career conditions is in preparation.

Appendix I
Comments From the Department of State

- o As of mid-February, 1992, as part of an expanding PNP field training program, more new academy graduates were being assigned back to their own home communities for their four-month probationary period. Instruction in the basic aspects of policing continues during that period. This has boosted morale among new recruits.
- o Final selection is being made by April 10, 1992, for a small, decentralized, law enforcement hostage negotiation and reaction team to respond to high-risk incidents. Panama is aware of the budget implications of such a team. GOP political and financial support for the concept is a further example of their commitment to improved civilian police capability in Panama.
- o Eight per cent of the Panamanian police force are newly-recruited personnel, trained from the start as civilian police with the mindset of responsibility to civil authority. About 60 per cent of the rest, though former soldiers, have been given orientation in the civilian police ethics which they will need to function reliably under civilian control. Orientation in the basic civilian police mindset will be extended to the remainder of the public force over the next year.
- o Panama's Minister of Government and Justice requested, and ICITAP has arranged, an upcoming visit to the U.S. by the chief architect of the GOP's Department of Corrections, for technical consultations on architectural issues with U.S. prisons/corrections experts. This visit is tentatively scheduled for April 26 - May 3, 1992.
- o The Ministry of Government and Justice recently stated that the modernization of the country's prisons is a priority for the Endara administration. In a very concrete display of that commitment, Panama is now putting money into prison reform. Groundbreaking for the new La Joya prison took place on January 10, 1992. This new 1000-bed prison, being built at a cost to Panama of \$2.4 million, will be finished in August, '92. It will ease overcrowding and allow for improvements in health and living conditions. This will leave El Carcel Modelo in downtown Panama available for pretrial detention, removing some of the dangers to recently-incarcerated persons who presently may be put in with hardened offenders. Panama also is adding a 144-inmate annex to the Renacer prison, to be done in April, 1992, at a cost of \$205,000. These are significant contributions toward Panama's reform of its corrections system.
- o The GOP is not only focusing on physical improvements to the prison facilities, it also hopes to develop a rehabilitation system. With this in mind, the GOP recently introduced agricultural and mechanical schooling programs at the Renacer facility, with plans to expand these programs to La Joya prison when it is finished.

- o The PTJ chief has requested an expert in strategic planning to assist them in developing a five-year plan for developing and improving the PTJ anti-narcotics force.
- o Panamanian police ability to determine the demands for service and to project its budget needs is slowly growing, under ICITAP tutelage. They are keeping track of demands for services, so they will know objectively the size of police force needed, and can plan its structure, equipment and other resource needs.
- o A March 9-13, 1992, evaluation of the PTJ forensics laboratory showed that it realistically may be ready for formal accreditation as early as 1993. This would set an objective standard for all the forensic laboratories in the region and confirm the GOP commitment to rely more in the future on physical as opposed to testimonial evidence.
- o In mid-March, 1992, the police handled a series of demonstrations in Panama's two largest cities. The embassy reports that: "...the PNP was credited with displaying restraint, initiating necessary dialogue, and using common sense in diffusing situations which, at times, approached riot like conditions." The Embassy's bottom line: "The PNP, as this situation demonstrates, is continuing to display the development of an ability to serve the Panamanian public in a manner which is consistent with acceptable civilian policing standards."

In summary, President Endara has now confirmed GOP support for the police academy, where the "civilianization" training of the police is being conducted. The GAO report recommended such assurances be obtained. As illustrated above, there have been numerous and significant achievements showing more GOP support and resources being put into both the police and the corrections system; and the positive effects of GOP/ICITAP efforts are being commented upon with increasing frequency.

The current GAO report, if it is to be regarded as valid, thus needs to be substantially updated to reflect this progress both in its description of the facts as well as the conclusions drawn from its analysis of them. At a minimum it should be amended clearly to show at what date each of the "snapshot" comments was made, and then to be evaluated as a historical document already overtaken by important new developments.

The Department of State, meanwhile, is looking forward to ICITAP enactment of its FY-'92 program in Panama, including expansion of its curriculum to include counter-narcotics training. This expansion will support the increased USG interagency efforts to fight narcotics problems in Panama.

U.S. EMBASSY COMMENT ON GAO REPORT
AID TO PANAMA: IMPROVING THE CRIMINAL JUSTICE SYSTEM

FOREWORD

The dramatic changes in Panama's police institutions since early 1990 are strong evidence that the Government of Panama (GOP) is committed to civilian law enforcement service as an essential part of its developing democratic society. The GOP is fully engaged in continued development of its policing institutions, albeit within its economic limitations and efforts to be fiscally responsible, as evidenced by GOP steps to meet Panama's international debt obligations.

ICITAP activities are supporting sustained police development, while working towards GOP self-sufficiency. Not funding ICITAP beyond 1992 would retard National Police and Judicial Technical Police institutional development, leaving both institutions with unfinished projects affecting professional growth and operational performance, the foundation of community confidence in police service. Moreover, withdrawal of funding for ICITAP beyond 1992 would jeopardize the entire Administration of Justice effort in Panama. The police, prosecutors, courts, and correctional system are integral parts of the criminal justice system. If one fails, the entire system is imperiled. It is therefore imperative to ensure that the constituent parts are developed to form a criminal justice system capable of serving the needs of democracy and security in Panamanian society.

With the implementation of the Panama Canal Treaties, the U.S. Government (USG) has a strong interest in helping Panama consolidate and strengthen its nascent democracy. Improving Panama's institutions for the administration of justice is crucial to a stable democratic Panama and requires long-term development support.

POLICE DEVELOPMENT

In addition to GOP commitment of adequate resources to the police, the GAO report cites four problems plaguing Panama's police, and, consequently, the success of the ICITAP program:

- turnover of police leadership,
- poor pay and benefits,
- lack of public confidence, and
- politicization of the police.

The GOP is fully cognizant of these issues and has made great strides in overcoming these and other problems since 1990, forging a new civilian police responsive to the community and respectful of human rights.

The GAO report's implication that the GOP is not contributing to police development simply is not true and the report fails to provide a current context for its conclusions. Additionally, the report does not recognize that a fully-developed professional civilian police force cannot be summoned on demand and that Panama's law enforcement institutions, while demonstrating progress, still require long-term support and assistance.

Background

The enormously complex changes occurring within the Panamanian psyche on police issues cannot be disregarded. The GOP had to start from scratch, building a new institution and simultaneously providing law enforcement service to the populace. Panamanians cannot -- and should not -- forget that today's law enforcement agencies comprise members of the disbanded Panamanian military. They cannot, because of real and perceived transgressions by the former regime, and they should not, because many of today's police officers were yesterday's soldiers who are learning to perform a new job with a new and different set of standards and expectations. For more than two years, Panama's police have struggled against strong negative sentiments and intense skepticism from the community, attempting to establish a track record of credible service with scarce resources.

Despite adversity, the police are making progress, reaching out to the community and adopting the mindset of civilian policing which is to serve and protect the community. Through recruitment of new civilian police officers and increasing levels of professionalism in police service, Panama's police are gaining credibility and the community's confidence, but it is a slow, difficult process for the entirety of Panamanian society. The problems are compounded by Panama's overall economic and social situation wherein all elements of the public sector lack adequate resources to respond to citizen needs and expectations.

USG Assistance

The USG, through ICITAP, has supported police development with an initial two-and-a-half-year project of training, technical assistance, and limited equipment donation. To date, ICITAP has spent or committed \$13.2 million to Panama Project activities. As a result, the USG and the GOP are establishing viable training academies and programs for both the National Police and the Judicial Technical Police (at the same time

Appendix I
Comments From the Department of State

having trained more than 10,500 Panamanian law enforcement officers in a wide array of policing skills), developing institutional accountability systems, building forensic science capabilities with improved crime scene techniques and a credible crime lab, and improving police management and technical skills at all levels, all within a framework of civilian leadership and democratic values.

The ICITAP Panama Project began in an environment complicated by the urgent need for the GOP to provide public safety with personnel and an organizational structure largely unsuited for the task. A two-and-a-half year timeframe only begins to allow for the kinds of fundamental changes required. To ensure lasting results, it must be recognized that Panama's development of professional police institutions is a long-term proposition.

In late 1991, ICITAP issued its FY 92 one-year plan for \$10 million in continued assistance to Panama's police development. Successor plans for ICITAP support through 1995 focus on helping Panama's police institutions achieve self-sufficient capabilities in areas fundamental to effective policing (e.g., training, strategic planning, logistics, forensic and other special law enforcement capabilities, and institutional accountability). The FY 92 plan sets the stage for continuing assistance over the next three years with projects to be implemented with the GOP's direct involvement and contributions of limited material and financial resources such as those mentioned below. With increasing stabilization of police institutions, proportionately greater GOP contributions will characterize future police development initiatives.

GOP Efforts

The GOP clearly recognizes the need to financially support police development, but it is important to understand the environment in which the GOP has been operating. The public feeling towards police, influenced by distrust, often has tempered GOP efforts in public safety matters. More significantly, Panama's weak overall financial situation has resulted in stringent economic measures being adopted to rectify years of abuse and mismanagement of the public financial sector. A wide spectrum of competing public interests vie for the GOP's limited resources. The police are necessarily part of this competition for resources to address fundamental needs.

Despite its serious economic constraints, the GOP is making essential financial commitments to law enforcement. In 1992 budget allocations for Panama's principal law enforcement agencies were 6.9 percent of the total GOP budget, up from 5.5 percent in 1991. However, when the preliminary 1992 budget figures for public security were published, the amounts allocated to the police caused a public outcry. Panamanians' reaction was that the police were getting "too much." (Ironically, many who share this opinion are also calling on the GOP to improve security services.)

As the GAO report points out, 74 percent (revised figure) of the National Police budget (\$76.3 million) is destined for salaries, leaving 26 percent for running the resource-starved 10,800-member nationwide organization. This no-frills budget covers basic operations. While development activities such as expanding the academies' training capabilities are a high priority, the GOP often has had to defer these to respond to more pressing operational needs. Nonetheless, Panama is beginning to direct funds to improvements in this area. For example, training is an articulated GOP priority for police development and, in late 1991, the Judicial Technical Police received supplemental funds (\$399,000) to establish their Detective Academy. For 1992 the GOP budgeted \$110,000 for construction projects at the National Police Academy. While modest, these contributions have a significant impact on joint development initiatives, providing needed infrastructure improvements and moving the police one step closer to self-sufficient training resources.

Pay Increase - A Demonstration of GOP Support

Within its fiscal limitations, the GOP took steps to address the police pay issue with a \$25 monthly raise for agents and officers up to lieutenants. This increase -- constituting a nine percent raise to the base pay for police agents -- took effect March 1, 1992, affecting 97 percent of the PNP and 87 percent of the Judicial Technical Police. This is the first basic pay raise since 1983 and is a good-faith effort by the GOP to validate police efforts and boost morale. With austerity measures in place, the GOP went forward with this \$4 million initiative at considerable political cost, demonstrating a strong will to support law enforcement.

(Note: The police pay situation can be appreciated even more when one understands that even after the salary increase, the average base salary for approximately 9,000 members of the National Police is \$318 a month. Time in service is recognized and every four years police receive an eight percent increase to their basic pay. As a measure, the national average wage is reported to be \$252 a month, while the average monthly salary of central government workers is \$427.)

Organic Law Will Provide Foundation

In an effort to provide a clearly-defined professional mission and attendant administrative provisions (e.g., career paths), a draft Organic Law for the Public Force has been prepared. Such a law will provide Public Force organizations a legal framework and will clearly articulate institutional function, jurisdiction, and structure. Once passed, the Organic Law will give the police a frame of reference for institutional development.

Before the Organic Law can be considered for adoption, Panama's Constitution must be changed to abolish the military thereby laying the foundation for Panama's civilian police services. Constitutional reforms are undergoing debate in the legislature and subsequently must be ratified in a national referendum, currently planned for the fall of 1992.

Leadership Gaining Stability

Until October 1991, the turnover in police leadership had been disruptive to the institution's operations and development. For the last six months, however, the National Police and the Judicial Technical Police both have had civilian directors bringing stability and a sense of continuity to police business in Panama. Both are attorneys with a clear understanding of the rule of law, the administration of justice, and the role of law enforcement in this system. Additionally, police leadership has begun to articulate police needs to the legislature and the public in general, presenting sound arguments for greater GOP support. These are positive signs of a maturing police institution working within Panama's democratic system.

Politicization of Police

Every society must guard against the potential politicization of its police and in Panama's case, where precedent exists with regard to its former military, all sectors must pay close attention to ensure that this does not recur. During 1990 and 1991, this issue was a matter for legitimate concern, as Panama's fragile democratic institutions were susceptible to many influences. While still a concern, GOP officials understand that the threat of police politicization can best be overcome by sustained professional police development.

Panama's police leadership is clear on the role of the police as enforcers of the law, subordinate to civil authority and free from political influence. For example, the National Police director recently admonished municipal authorities for trying to use the police in resolving a political argument. This type of leadership is beginning to bring stability to Panama's police agencies and an environment favorable to sustained progress in overcoming susceptibility to political influence.

PROGRESS IN THE JUDICIARY

The Improved Administration of Justice Project is an AID-financed long-term institutional strengthening project. The project development process, while time-consuming, was collaborative in nature and incorporated the priorities of the Panamanian counterparts -- the Supreme Court and the Attorney General's Office. Through this process the principal problems, issues and policy items facing the administration of justice in Panama were clearly addressed and discussed with counterparts and other high-ranking officials of the GOP. The resulting bilateral agreement, signed on March 8, 1991, includes covenants and/or project components that address all the issues raised in this GAO report. Additionally, the agreement specifically includes language for GOP financial commitment to the overall reform program.

Fundamental to the success of the AID program is the political commitment and will to execute the justice sector reform program, a commitment that exists in Panama. Substantive and lasting improvement, such as that required in Panama, requires perseverance and patience as well as resources. High-ranking justice sector officials have done their utmost to obtain those resources and have continued their efforts to keep the issue of budgetary support on the GOP policy agenda. For instance, the Supreme Court and the Public Ministry submitted to the Executive a 1992 budget request that went far beyond the minimum 2 percent legally mandated for the justice sector. Justice sector officials recognize that efforts to modernize, including additional courts, judges, prosecutors and public defenders, are dependent on the availability of resources. However, given that the present Panamanian reality is based on financial austerity, the Executive subsequently modified the original submission downward. In the Legislative Assembly's review of the Executive's budget request, it noted the need for additional resources in the judicial sector, a significant gesture of support. The Executive then responded favorably by allocating additional resources to the 1992 justice sector budget. This inter-governmental cooperation bodes well for the provision of future resource allocations to the justice sector. Furthermore, a proposal now being discussed within the Legislative Assembly's constitutional reform package would increase the level of financing for the justice sector from 2 percent of current GOP expenditures per year to 4 percent per annum. If approved, this additional budgetary assistance will alleviate over the long-term the resource limitations highlighted in the GAO report.

CORRECTIONAL SYSTEM

As with the police and other segments of the criminal justice system, the GOP recognizes the compelling needs of Panama's correctional system but resource constraints have hampered development. Nevertheless, the GOP increasingly is focusing attention and resources on improving the deplorable state of its prisons. GOP efforts are underway to build new prisons and renovate existing structures to relieve the severe overcrowding in Panama's correctional institutions. The construction of a 1000-bed facility valued at \$2.4 million, a \$200,000 annex to the Renacer prison, and renovations to the correctional facilities in Colon and David -- all in process -- will greatly improve the lot of Panama's prisoners. Additionally, the National Department of Corrections is implementing a skills training pilot program with plans to eventually replicate efforts, providing productive activity for the nation's prisoner population.

While Section 660 of the Foreign Assistance Act bars direct USG assistance to foreign governments in prison matters, limited technical advice has been provided to the GOP through the Department of Justice's Bureau of Prisons with non-Foreign Assistance Act funds.

ICITAP has included a corrections component in its FY 92 program, consisting of training and technical assistance to help the GOP develop a more humane, efficient correctional system. This proposed assistance is contingent on authorization, which is pending Congressional approval.

CONCLUSIONS

For the record, the U.S. Embassy in Panama believes that the GAO report's conclusion is based on dated, and therefore incomplete, information. The Embassy disagrees with the GAO conclusion that the GOP is not supporting development of a functioning professional police force and recommends deleting the report's recommendation that support for ICITAP be withdrawn beyond FY 1992.

March 27, 1992

The following is GAO's comment on the Department of State's letter dated April 6, 1992.

GAO Comment

1. The comments from the U.S. Embassy in Panama have been included in this appendix.

Comments From the Department of Justice



U. S. Department of Justice

Washington, D.C. 20530

APR - 2 1992

Frank C. Conahan
Assistant Comptroller General
National Security and International
Affairs Division
U.S. General Accounting Office
Washington, D.C. 20548

Dear Mr. Conahan:

The following information is being provided in response to your request to the Attorney General, dated March 4, 1992, for comments on the General Accounting Office (GAO) draft report entitled, "Aid to Panama: Improving the Criminal Justice System." The Department is concerned with GAO's recommendation to terminate assistance to the Government of Panama at the end of fiscal year 1992 unless it provides assurances that adequate resources will be provided to enable the program to succeed. GAO suggests that the Government of Panama has not provided sufficient support to the program, and that therefore, the U.S. government investment in the program is wasted. However, the International Criminal Investigative Training Assistance Program (ICITAP) finds that U.S. assistance for police and prison system reform has received support from the Government of Panama and resulted in improvements to its systems.

The Government of Panama has increased its financial support for law enforcement agencies despite serious economic constraints and the need to provide resources to address other fundamental needs of its population. It has increased its budget allocation for law enforcement agencies by 1.4 percent, making the law enforcement allocation 6.9 percent of its total budget. It has also included a \$25 monthly raise for police officers through the rank of lieutenant. The raise constitutes a 9 percent increase to the base pay for police officers and is the first of three projected pay raises. In addition, the Government of Panama provided supplemental funds to establish a detective school and approved funds for construction projects at the National Police Academy. These resources will significantly enhance the development of training programs managed by the two agencies.

Appendix II
Comments From the Department of Justice

ICITAP reports that the commitment of the Government of Panama is further evidenced by the progress that it has made in the reform of its police force. To date, the Government of Panama has drafted an Organic Law for the Public Force to provide a clearly-defined professional mission. The law will define institutional functions, jurisdiction, structure, and attributes of the Public Force.^{1/} The Government of Panama has also appointed civilian directors for both its police forces. During their six months tenure, the directors have increased stability and fostered a sense of continuity to police management. Further, with the assistance of the U.S. Government, the Government of Panama is: establishing viable training academies and programs for its police; developing institutional accountability systems; building forensic science capabilities with improved crime scene techniques and a credible crime laboratory; and improving police management and technical skills at all levels. The plan for fiscal year 1992 sets forth the first phase of a multiphase program which will continue such efforts through fiscal year 1995. The program will be implemented with the direct involvement and contribution of the Government of Panama. At the end of the program the police institutions of Panama are expected to achieve self-sufficient capabilities in areas fundamental to effective policing.

Finally, ICITAP reports that there is strong evidence of improvement in the police system as a result of our programs. The police are beginning to reach out to the community and to adopt the mindset of civilian policing. The successful recruitment of qualified new civilian police officers and the increasing levels of professionalism in the police service are positive signs that Panama's police are gaining credibility and the community's confidence. The change in the police force itself has been demonstrated in its adherence to civilian policing techniques during recent demonstrations in Colon and Panama City. The police displayed restraint, initiated necessary dialogue, and used common sense in diffusing situations which, at times, approached riot-like conditions.

To better its corrections system, the Government of Panama has requested advice in improving current prison conditions and assistance in developing its corrections system. The National Institute of Corrections developed several plans to ameliorate

^{1/} Enactment of this law will be possible only after Panama's Constitution is changed to abolish the military police and lay a foundation for civilian police services. Constitutional reform is currently underway.

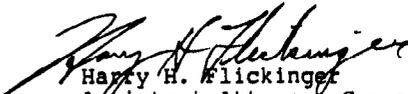
Appendix II
Comments From the Department of Justice

prison conditions in Panama.^{2/} The fiscal year 1992 plan will provide training and technical assistance to Panama to develop a more humane, efficient correctional system. Additional assistance to the Government of Panama in managerial and organizational development will depend upon expanding ICITAP authority. In an effort to reduce prison overcrowding and to make conditions of confinement more humane, the Government of Panama is undertaking to build new prisons and renovate existing structures. The Chief architect of the Department of Corrections for the Government of Panama will visit the United States this month for technical consultations with U.S. corrections experts. Additionally, the Department of Corrections is implementing a skills training pilot program to provide productive activity for Panama's prison population.

As ICITAP has noted, progress in reforming the Panamanian police force is being made. Withholding funding beyond fiscal year 1992 would retard police institutional development. More importantly it could jeopardize the entire administration of justice reform effort in Panama in as much as the police, prosecutors, courts and corrections system are integral parts of the criminal justice system. An underdeveloped police force will adversely affect that system. Because of the potentially severe consequences of discontinuing U.S. support to the reform efforts in Panama, we believe that GAO should reconsider its recommendation in light of ICITAP's assessment of the progress being made and the discernible potential for success.

We appreciate the opportunity to comment on the draft report and hope that you find our comments both constructive and beneficial.

Sincerely,


Harry H. Flickinger
Assistant Attorney General
for Administration

^{2/} The National Institute of Corrections is authorized to provide technical assistance and advice to foreign governments with respect to corrections (See, Pub.L. 102-140, 105 Stat. 782, 790; October 28, 1991).

Comments From the Agency for International Development



U.S. AGENCY FOR
INTERNATIONAL
DEVELOPMENT

MAR 31 1992

Associate
Administrator
for Finance and
Administration

Mr. Frank C. Conahan
Assistant Comptroller General
United States General Accounting Office
Washington, D.C. 20548

Dear Mr. Conahan:

We hereby acknowledge receipt of your letter dated March 4, 1992, to Ronald W. Roskens, Administrator of the Agency for International Development (A.I.D.), in which you requested A.I.D.'s review and comments on the draft GAO report entitled Aid to Panama: Improving the Criminal Justice System.

We wish to report that A.I.D.'s review of and comments on this report have been made as part of the response from the U.S. Embassy in Panama which we understand has been transmitted to the GAO through the State Department. We are enclosing a copy of the Embassy response for your convenience. A.I.D. has been very closely coordinating with the U.S. Embassy and ICITAP in the implementation of all assistance to the democratic institutions in Panama, including our assistance to the criminal justice system. For this reason, we have likewise coordinated our response to your draft report on these activities. We do not feel that any additional A.I.D. comments are necessary and hope that these comments will be useful in the completion of this report.

Sincerely,


Richard A. Ames

Enclosure: a/s

320 TWENTY-FIRST STREET, N.W., WASHINGTON, D.C. 20523

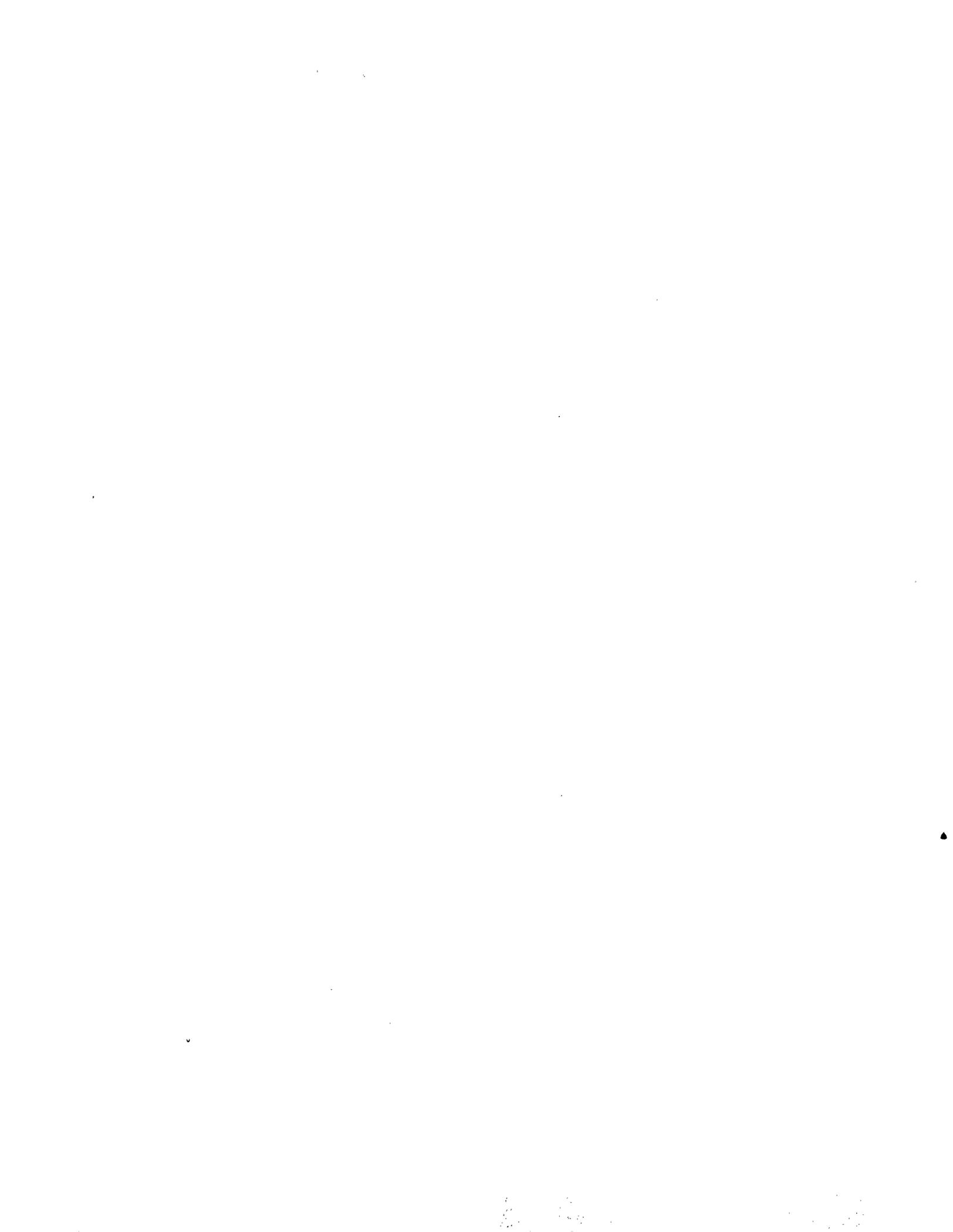
Major Contributors to This Report

**National Security and
International Affairs
Division, Washington,
D.C.**

**Donald L. Patton, Assistant Director
Nina Fantl, Attorney**

Dallas Regional Office

**Oliver G. Harter, Evaluator-in-Charge
Luis Escalante, Jr., Evaluator
Michael Harmond, Evaluator**



Ordering Information

The first copy of each GAO report and testimony is free. Additional copies are \$2 each. Orders should be sent to the following address, accompanied by a check or money order made out to the Superintendent of Documents, when necessary. Orders for 100 or more copies to be mailed to a single address are discounted 25 percent.

**U.S. General Accounting Office
P.O. Box 6015
Gaithersburg, MD 20877**

Orders may also be placed by calling (202) 275-6241.

**United States
General Accounting Office
Washington D.C. 20548**

**Official Business
Penalty for Private Use \$300**

**First Class Mail
Postage & Fees Paid
GAO
Permit No. G100**